

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38604 of 2023**

Arising Out of PS. Case No.-79 Year-2023 Thana- RAJNAGAR District- Madhubani

1. MITHILESH KUMAR MAHRA @ MITHILESH KU. MAHARA son of Yugal Mahra Village- Harahi Ward No-5, Ps- Ladaniya Dist- Madhubani
2. Jalandhar Kumar Mehra @ Jalandhar Ku. Mahara son of Upendra Mahra Village- Harahi Ward No-5, Ps- Ladaniya Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate
For the Opposite Party/s : Mr.Gulnar Begum, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-07-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in connection with G.R. No. 530/ 2023 arising out of Rajnagar P.S. Case No. 79 of 2023 dated 04.04.2023 registered for the offences punishable u/ss 272 and 273 read with Section 34 of the Indian Penal Code and



u/s 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 297 litres of illicit liquor was recovered from the vehicle. Two persons were apprehended who were boarded on the vehicle and they stated their name as Mithilesh Kumar Mahra (petitioner no. 1) and Jalandhar Kumar Mahra (petitioner no. 2).

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. He has further submitted that the petitioners have no concern with the seized liquor or the seized vehicle. It is further stated that the petitioner no. 1 is the driver and the petitioner no. 2 is the cleaner of the said vehicle. The petitioners have got clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 05.04.2023.

Learned A.P.P. for the State has opposed the prayer of bail petition of the petitioners.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty



Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Mdhubani in connection with G.R. No. 530/2023 arising out of Rajnagar P.S. Case No. 79 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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