

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38083 of 2023**

Arising Out of PS. Case No.-222 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

MITHLESH RAY Son of Sri Ramayan Rai Resident of village - Bahrapur,
P.S. - Baikunthpur, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer
For the Opposite Party/s : Mr.Madan Kumar

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

ORAL ORDER

2 28-06-2023 Learned counsel for the petitioner 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 petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Baikunthpur P.S. Case No. 222 of 2021 dated 19.07.2021 registered for the offences punishable under Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 40 litres of country-made wine was recovered from the plastic gallons which was kept under construction of flour mill

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in twelve other criminal cases out of which he is on bail in 9 cases as stated in para 3 of the bail petition. The petitioner is in custody since 10.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Baikunthpur P.S. Case No. 222 of 2021, with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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