

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39514 of 2023

Arising Out of PS. Case No.-185 Year-2020 Thana- KALUAHI District- Madhubani

MITHILESH SAH S/O DASRATH SAH R/O Village- Ramgrha, P.S-
Kaluauhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Rajeev

For the Opposite Party/s : Mrs.Madhuri Lata

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

ORAL ORDER

2 05-07-2023 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 Kaluahi P.S. Case No. 185 of 2020 dated 22.12.2020 registered for the offence punishable u/s 272, 273, 34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 74.25 litres of liquor is alleged to have recovered from the house of the petitioner.

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 has no concern with the alleged recovery. The recovery is from the straw which is outside the house of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.5.2023.

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, Madhubani in connection with Kaluahi P.S. Case No. 185 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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