

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39982 of 2023**

Arising Out of PS. Case No.-229 Year-2023 Thana- TAJPUR District- Samastipur

MITHILESH KUMAR @ FUCHU son of Bimal Ray @ Vimal Ray Village-
Bikrampur Bandey Ps- Muffasil Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Mahendra Pratap, Advocate

For the Opposite Party/s : Mr Rabindra Kumar, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and the
learned APP.

2 The petitioner has preferred this application for grant of regular bail in connection with Tajpur PS Case No 229 of 2023 dated 02.05.2023 registered for the offence punishable under Sections 30 (a), 41 (i) (ii) of the Bihar Prohibition and Excise Act.

3 As per the prosecution case, 1350 litres of illicit foreign liquor was recovered from the old chimney.

4 Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner bears three antecedents, as stated in paragraph 3 of the bail petition. The said old chimney does not



belong to the petitioner. It is further submitted that the petitioner was identified by the villagers. He is in custody in this case since 06.05.2023.

5 Learned APP has vehemently opposed the bail petition of the petitioner.

6 Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Court II, Samastipur in Tajpur PS Case No 229 of 2023 dated 02.05.2023.

7 This application stands allowed.

(Chandra Prakash Singh, J)

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