

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60888 of 2023**

Arising Out of PS. Case No.-15 Year-2020 Thana- MUFFASIL District- Aurangabad

MITHLESH SINGH @ MITHILESH SINGH son of Late Bhagwan Singh
Village- Renu Bigha Ps- Muffasil Aurangabad Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Shaheen Begum

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of total 198.72 liters
illicit liquor from a Truck bearing Reg. No. BR-24GA-2996.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. The petitioner is not named in the F.I.R. He has falsely
been implicated in this case due to dirty village politics. He has
no concern with the alleged recovery of liquor or with the
vehicle in question. Neither the petitioner was arrested on spot
nor any incriminating article has been recovered from his



conscious possession. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. The other co-accused namely, Mithlesh Ram @ Mithilesh Ram has already been enlarged on bail by another coordinate Bench of this Court vide order dated 15.05.2020 passed in Cr. Misc. No.15790 of 2020 which is annexed as Annexure-2 (series) of this petition. Petitioner is languishing in judicial custody since 18.07.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise 1st, Aurangabad (Bihar) in connection with Muffasil P.S. Case No. 15/2020/G.R.No. 101 of 2020.

(Sunil Kumar Panwar, J)

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