

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66002 of 2023

Arising Out of PS. Case No.-485 Year-2023 Thana- Excise P.S. District- Vaishali

MITHUN KUMAR Son of Shree Ramdhani Das R/o vill - Chishti
Gangabridge, P.S - Gangabridge, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Smiti Bharti, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Hajipur Excise P.S. Case no.485 of 2023 registered under sections 30(a), 32(i), 32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 150 litres of liquor was recovered from the e-rickshaw being driven by this petitioner.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession. Accepting the allegations levelled in the F.I.R., co-accused Niraj Kumar is described as an assistant of this petitioner and he has been enlarged on bail vide order dated 5.10.2023 passed in Cr. Misc. no.62741 of 2023. The petitioner



is in custody since 5.8.2023 and has no criminal antecedent under the Bihar Prohibition and Excise Act, 2016.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., grant of bail to the above mentioned co-accused Niraj Kumar and the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, the Court directs the petitioner to be enlarged on bail in connection with Hajipur Excise P.S. Case no.485 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no.2-cum-Additional District and Sessions Judge, Hajipur, Vaishali.

(Partha Sarthy, J)

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