

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76558 of 2023

Arising Out of PS. Case No.-800 Year-2023 Thana- Excise P.S. District- Nawada

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MITHLESH YADAV @ MITHILESH YADAV SON OF LATE BUDHAN
YADAV RESIDENT OF VILLAGE - HARDIYA SECTOR-B, P.S. -
RAJOULI, DISTRICT - NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 30(a) and 56(2)(ii) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, petitioner along with one co-accused was apprehended on the spot with two motorcycles and from each motorcycle total 75 liter country made liquor has been recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case only on the basis of suspicion. He no concern with the



alleged recovery of liquor or with the vehicles in question. Nothing 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. Petitioner is languishing in judicial custody since 12.10.2023.

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

6. 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 Exclusive Special Excise Court no. 2, Nawada in connection with Excise P.S. Case No. 800 of 2023.

(Sunil Kumar Panwar, J)

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