

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84 of 2023

Arising Out of PS. Case No.-85 Year-2022 Thana- PIPRA District- Patna

Mithlesh Kumar S/O Dinesh Ram R/O - Alauddinchak, P.S.- Punpun, Distt- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jainendra Kumar Pushkar

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-03-2023 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 sections 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 225 litres of country made liquor from a Tempo bearing registration number BR-01PD-5674. Petitioner is the driver of the aforesaid tempo.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in the present case. He has no concern



with the seized illicit liquor. Moreover, the Petitioner is languishing in judicial custody since 26.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. vehemently opposed the prayer of bail and submitted that petitioner was driver of the aforesaid tempo from where illicit liquor has been seized.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are 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, Patna in connection with Special Case No. 6133 of 2022, arising out of Pipra P.S. Case No. 85 of 2022.

The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the concerned



District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

nirajkrs/-

U		T	
---	--	---	--

