

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6239 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- Excise P.S. District- Buxar

Mithilesh Kumar S/O Late Uma Shankar Prasad Village- Utari Mandiri, Ps.
Buddha Colony, Dist. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
(Dumraon) P.S. Case No. 132 of 2023 instituted for the
offences under Sections 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered
140.58 liters illegal liquor from the car bearing Registration No.
JH-1AN-3381 which was being driven by the present petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that the petitioner had no
knowledge about the alleged recovered liquor and has nothing



to do with the same. The petitioner is not the owner of the recovered car. He again submits that there is no compliance of Section 100 of the Cr.P.C. The petitioner has no criminal antecedent and is languishing in judicial custody since 11.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Dumraon) P.S. case No. 132 of 2023.

(Rudra Prakash Mishra, J)

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