

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13568 of 2024

Arising Out of PS. Case No.-726 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

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Mithilesh Kumar @ Mithlesh Kumar Son of Mahendra Mehta Resident of
Gokulpur, Ward No. 14, P.S.- K. Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

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

ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with K.Nagar
P.S. Case No. 726 of 2023 instituted for the offences punishable
under Sections 272, 273 of I.P.C. and 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 155.2
litres of liquor was recovered from car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the owner of the vehicle. It is further
submitted that petitioner is only the driver of the vehicle in



question and has no concern with the loaded articles/liquor. Charge-sheet has been submitted in this case. The petitioner is in custody since 24.12.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 K.Nagar P.S. Case No. 726 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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