

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45513 of 2024**

Arising Out of PS. Case No.-5 Year-2024 Thana- GHATHO District- Samastipur

MITHILESH KUMAR @ MITHLESH KUMAR S/O RAJ KUMAR SINGH
R/O VILLAGE- BASHADIYA, P.S- DALSINGSARAI, DISTT.-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh
For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of
regular bail in connection with Ghatho P.S. Case No. 05 of 2024
dated 21.03.2024 registered for the offences punishable u/s 30(a) of
the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 24.49 litres of illicit
foreign liquor was recovered from the e-rickshaw.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this case.
Nothing has been recovered from the conscious possession of the
petitioner. The petitioner has no concern with the alleged recovery.
The petitioner is the owner of the said vehicle but the same was not
being driven by the petitioner at the time of the alleged occurrence.



Similarly situated co-accused has already been granted bail by this court *vide* order dated 01.05.2024 passed in Cr. Misc. No. 33240 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Ghatho P.S. Case No. 05 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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