

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46425 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- SIRDALA District- Nawada

Mithilesh Prasad @ Mithu son of Bithal Mahto Village- Biju Bigha Ps-
Meskaur Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

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

ORAL ORDER

2 20-07-2024 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 Sirdalla P.S. Case No. 126/2024 dated 20.03.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 250 litres of illicit country made liquor was recovered from the sacks which were kept in the wheat field of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged recovery. The recovery has been made from an open place



which is accessible to anyone. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 01.05.2024 passed in Cr. Misc. No. 33118 of 2024. Nothing has been recovered from the conscious possession of the petitioner. Local *chowkidar* disclosed the name of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.05.2024.

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, Nawada in connection with Sirdalla P.S. Case No. 126/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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