

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50582 of 2024

Arising Out of PS. Case No.-417 Year-2024 Thana- Excise P.S. District- Sitamarhi

Mantosh Kumar, aged about 25 years, Male, Son of Bindeshwar Ram,
Resident of Village - Balia Indrajeet (Ward No.- 10), P.S.- Bachhaha, District
- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate
For the Opposite Party : Mr. Shyam Bihari Singh, A.P.P.

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

ORAL ORDER

2 16-07-2024 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 Sitamarhi Excise P.S
Case No. 417 of 2024 dated 03.05.2024 registered for the
offences punishable u/s 30(a) and 32(3) of the Bihar Prohibition
and Excise Act.

3. As per the prosecution case, total 900 litres of illicit
Nepali liquor was recovered from the Mahindra Bolero pick-up
van and 180 litres of illicit foreign liquor was recovered from
the car.

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 co-accused persons have already been granted bail by this Court vide order dated 09.07.2024 passed in Criminal Miscellaneous No. 48455 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.05.2024.

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, Sitamarhi in connection with Sitamarhi Excise P.S Case No. 417 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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