

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62428 of 2024

Arising Out of PS. Case No.-147 Year-2024 Thana- TARAIYA District- Saran

Mithun Kumar Sahani @ Mintu Kumar Son of Hakim Sahani Resident of
Village- Murlipur, P.S.- Taraiya, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishesh Kumar Singh

For the Opposite Party/s : Mr.Bishweshwar Ram

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is an application for regular bail on behalf of
the petitioner for the offences alleged under Section 30(a) of the
Bihar Prohibition and Excise Act, registered in connection with
Taraiya P.S. Case No. 147 of 2024.

3. As per prosecution case, there has been recovery of
total 129.600 liters of foreign liquor from a *Tempo* and the
police team apprehended two persons namely, Jugnu Miya and
Altabh Hussain.

4. The learned counsel for the petitioner has submitted
that petitioner has been falsely implicated in this case and has
committed no offence. Petitioner was not apprehended on spot.



The name of the petitioner has come into light on the basis of confessional statement of apprehended co-accused, which has got no evidentiary value in the eyes of law. Petitioner has no concern with the alleged recovery of liquor. No incriminating article has been recovered from the conscious possession of the petitioner and he is in custody since 02.07.2024.

5. Learned APP for the State has opposed the prayer of bail.

6. Considering the above facts and circumstances of the case, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Taraiya P.S. Case No. 147 of 2024, subject to the condition that the petitioner shall co-operate in the disposal of trial and make himself available as and when required by the Court.

7. The petitioner shall furnish his bail bonds after completion of two months in custody from today.

(Nawneet Kumar Pandey, J)

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