

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78899 of 2024**

Arising Out of PS. Case No.-314 Year-2024 Thana- JAGDISHPUR District- Bhojpur

Mithilesh Kumar Yadav @ Mithilesh Singh @ Mithlesh Kumar Yadav @  
Mithlesh Singh S/O Late Sahodar Singh R/O Village- Leela Tola, P.S-  
Jagdishpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Amarendra Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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

**ORAL ORDER**

2      11-11-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2.      The petitioner seeks bail in connection with  
Jagdishpur PS Case No. 314 of 2024 instituted for the offences  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that 226.440 liters  
of foreign liquor was recovered from the house of the  
petitioner.

4.      Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the conscious possession of the petitioner. The petitioner has got  
no concern with the alleged recovery of liquor. It is submitted



that recovery is made from the joint house of the petitioner where other family members reside. The petitioner is in custody since 10-09-2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 of the petitioner 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 Jagdishpur PS Case No. 314 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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