

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81700 of 2024

Arising Out of PS. Case No.-266 Year-2024 Thana- Excise P.S. District- Madhubani

Mithilesh Kumar Yadav S/O Ram Chandra Yadav R/O Village- Kuadh, P.S-
Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
: Mr. Vinod Kumar, Advocate
: Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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

ORAL ORDER

- 2 02-12-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Excise
Sadar P.S. Case No. 266 of 2024, G.O. No. 2464 of 2024
instituted for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 360 litres
of Nepali liquor has been recovered from Bolero Car. Petitioner
was apprehended on the spot.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 30.09.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 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 Excise Sadar P.S. Case No. 266 of 2024, G.O. No. 2464 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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