

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.83156 of 2024**

Arising Out of PS. Case No.-231 Year-2024 Thana- MANIHARI District- Katihar

Mithilesh Yadav @ Mithlesh Yadav S/o- Nanadlal Yadav Resident of village-  
Milk ward No 7 PS- Manihari District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md Musowir, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

2      12-12-2024                      Heard learned counsel for the petitioner and Mr.  
Akshay Lal Pandit, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Manihari P.S. Case No. 231 of 2024 instituted for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that two persons on a bike were intercepted by the police in that course, one person managed to escape from there. One Sukhraj Yadav was apprehended by the police and he confessed the name of the petitioner. From that bike, eight liters of country made liquor was recovered.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The apprehended person disclosed the name of the petitioner. Nothing has been recovered from his conscious possession. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Manihari P.S. Case No. 231 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J., Exclusive Excise Court No.2 , Katihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Ashok Kumar Pandey, J)**

Shubham/-

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