

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3042 of 2024

Arising Out of PS. Case No.-220 Year-2023 Thana- RAGHOPUR District- Vaishali

Mithlesh Kumar @ Mukalesh Kumar Son of Jayram Paswan @ Jay Ram
Paswan, Resident of Rustampur Pachpariya, P.S.- Raghapur (Rustampur OP),
Distt.- Vaishali, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ritika Roy,
Mr. Amit Narayan
Ms. Sneha Kumari, Advocates

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Raghapur (Rustampur OP) PS Case No. 220 of 2023 dated
17-09-2023, instituted under Sections 30(a) of the Bihar
Prohibition & Excise Amendment Act, 2018.

3. The allegation is of recovery of 96.375 litres of
illicit liquor from a tempo bearing Registration No. BR-01 GF-
8531.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is submitted that nothing has been recovered from conscious possession of the petitioner. It is further submitted that petitioner has been made accused only on the basis of secret information. The petitioner is not the owner of the seized vehicle. It is next submitted that other two accused persons, namely, Pintu Kumar and Tinku Kumar have been privileged with anticipatory bail by a Co-ordinate Bench of this Court vide order dated 08-01-2024, passed in Cr. Misc. no. 83231 of 2023. The petitioner has no criminal antecedent, as per statement made in para-3 of the bail petition.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court II Vaishali at Hajipur having PTN BRVA01P0020632023, in Raghopur (Rustampur OP) PS Case No. 220 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.



7. The application stands allowed.

(Khatim Reza, J)

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