

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5065 of 2025

Arising Out of PS. Case No.-469 Year-2024 Thana- JANDAHA District- Vaishali

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Mithu Rai @ Mithu Kumar S/o Late Gona Rai @ Gena Rai Resident of
village- Murtuzapur, P.S.- Mahisaur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jandaha P.S. Case No. 469 of 2024, dated 09.12.2024, registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1416.96 litres of illicit foreign liquor was recovered from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of the seized truck. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with



the alleged recovery. The co-accused person has already been granted bail by this Court, vide order dated 19.02.2025, passed in Criminal Misc. No. 1656 of 2025. The petitioner has four antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 10.12.2024..

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 469 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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