

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5569 of 2025**

Arising Out of PS. Case No.-83 Year-2024 Thana- KOTWA District- East Champaran

Mithilesh Yadav Son of Upendra Rai @ Upendra Ray Resident of Village
-Bairiya, P.S. - Bhopatpur (Kotwa), District - East Champaran

... .. Petitioner/s
Versus
The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

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

ORAL ORDER

2 05-03-2025 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 Kotwa (B) P.S. Case No.
83 of 2024, dated 30.03.2024, registered for the offences
punishable under Section 30(a) the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, total 69.48 litres of
illicit foreign liquor was recovered from the maize field situated
behind the house of the co-accused.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. The recovery has been made from an open place which is accessible to everyone. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has four criminal antecedents as stated in para 3 of the bail petition. The other co-accused person has already been granted bail by this Court vide order dated 09.07.2024, passed in Criminal Misc. No. 48252 of 2024. The petitioner is in custody since 24.10.2024.

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, East Champaran at Motihar, in connection with Kotwa (B) P.S. Case No. 83 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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