

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8888 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- RAHIKA District- Madhubani

Mithu Kumar S/O Jagadev Mukhiya Village- Jagatpur, Barahiya Tol, Ward
No.- 10, P.S.- Rahika, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 18-02-2025 Heard Mr. Jitendra Kumar Bharti, learned counsel
for the petitioner and Mr. Manoj Kumar, learned APP for the
State.

2. The petitioner seeks bail in connection with Rahika
PS Case No. 279 of 2024 arising out of G.R. No. 1725 of 2024
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 473.250
litres of country made liquor was recovered from bushes and
orchard.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is submitted that recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 12.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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 of the petitioner 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 Rahika PS Case No. 279 of 2024 arising out of G.R. No. 1725 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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