

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11304 of 2025**

Arising Out of PS. Case No.-4 Year-2025 Thana- JOKIHAT District- Araria

Mithun Kumar Son of Santo Malakar @ Satto Malakar Village- Hanuman  
Patti Ward no. 4 Ps- Murliganj District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

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

ORAL ORDER

2      24-02-2025                      Heard learned counsel for the petitioner and  
learned APP for the State.

2.      The petitioner seeks bail in connection with  
Jokihat PS Case No. 04 of 2025 instituted for the offences  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total  
212.730 litres of foreign liquor was recovered from Scorpio.

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 petitioner is the owner cum



driver of the seized vehicle. The petitioner is in custody since 06.01.2025 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 Jokihat PS Case No. 04 of 2025.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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