

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23890 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- Excise P.S. District- Supaul

Mithilesh Yadav@ Mithlesh Yadav Son of Ganpat Yadav Resident of Village-
Baxaur, Ward No. 09, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Patla Kumari, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-05-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Excise P.S. Sadar Supaul P.S. Case No. 39 of 2025 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 10.890 liters of country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner implicated with present case only for the reason that alleged illicit liquor was recovered from the shop of his father who was apprehended being main co-accused. It is submitted that petitioner being son has no



connection with shop of his father and therefore, it can be said safely that recovery of alleged illicit liquor was not made from the physical possession of this petitioner who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court no. 2, Supaul/ concerned Court, where the case is pending in connection with Excise P.S. Sadar Supaul P.S. Case No. 39 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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