

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28771 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- BHIMPUR District- Supaul

Mithu Kumar S/o Ramdev Yadav R/o Village- Ward No. 10, Lakshimpur,
P.S.- Fulkaha, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

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

ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Sessions Trial Excise
Case No. 258 of 2025, arising out of Bhimpur P.S. case No.
26 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 90 liters
liquor was recovered from motorcycle and the petitioner
was arrested on spot.

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 further submitted that the name of the petitioner has transpired as being owner of the motorcycle in question. The true fact is that recovery is made from another place and the name of the petitioner has been implicated in this case by the police with ulterior motive. The petitioner is in custody since 12.03.2025 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 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 Sessions Trial Excise Case No. 258 of 2025, arising out of Bhimpur



P.S. case No. 26 of 2025.

(Rudra Prakash Mishra, J)

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