

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32958 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- PARIHAR District- Sitamarhi

Mithlesh Kumar Yadav @ Pritam Kumar Son of Nathuni Rai R/o village -
Shivaipatti, P.S.- Bajpatti, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. Perusal of the first information report and the
seizure list would go to show that total 198 liters of Nepali
liquor is said to have been recovered from a jute bag from the
motorcycle of the petitioner and the petitioner was arrested.

4. It is submitted by learned counsel for the petitioner
that the petitioner is neither the owner of the motorcycle nor has
anything to do with the seized liquor. As a matter of fact, the
person who was riding the motorcycle managed to escape and
the petitioner has been arrested on suspicion as a mistake. The



jute bag from which the liquor has been recovered also does not belong to the petitioner. Hence, there is no recovery from the conscious or physical possession of the petitioner. Petitioner has no criminal antecedent and has been languishing in custody since 19.03.2025.

5. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Parihar P.S. Case No. 86 of 2025.

(Soni Shrivastava, J)

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