

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41970 of 2025

Arising Out of PS. Case No.-172 Year-2022 Thana- NATHNAGAR District- Bhagalpur

Mithun Kumar @ Mithun Singh S/O Prasdind Singh @ Prasadi Sah R/O
Vill.- Maniarpur, P.S.- Madhusudanpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Vivek. Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

2 07-07-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Nathnagar (Madhusudanpur) PS Case No. 172 of 2022/
Special Excise Case No. 541 of 2022 instituted for the
offences under Sections 30(a) and 41(i) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 50
litres of country made liquor, Gas cylinder, utensils etc.
was recovered from the field of Dhiran Yadav.

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. It is further submitted that local chowkidar disclosed the name of the petitioner. The petitioner is in custody since 06.05.2025 and has got three criminal antecedents. 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 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 Nathnagar (Madhusudanpur) PS Case No. 172 of 2022/ Special Excise Case No. 541 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

