

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54129 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- Ghogha District- Bhagalpur

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Mithilesh Kumar Son of Sri Ravi Mandal Village- Pakki Sarai PS -Ghogha
District -Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, Advocate

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

ORAL ORDER

2 04-08-2025 Heard Mr. Navjot Yesu, learned counsel for the

petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Ghogha P.S. Case No. 27 of 2005, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 175 liters
liquor was recovered from two plastic bags and the petitioner
was apprehended 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. Learned counsel
for the petitioner also submits that the alleged recovery has been



made from an open place and the same is easily accessible to the public at large. It is further submitted that the petitioner was a passerby of that way and was arrested on the basis of suspicion. The petitioner is in custody since 11.03.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 22.04.2025 passed in Cr. Misc. No. 24751 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ghogha P.S. Case No. 27 of 2005.

(Rudra Prakash Mishra, J)

Rajorshi/-

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