

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48545 of 2025

Arising Out of PS. Case No.-389 Year-2025 Thana- Excise P.S. District- Nawada

Mithlesh Kumar S/o Ramji Prasad, R/o Village- Purani Hardiya, P.S.- Rajauli,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Excise P.S. Case No.389 of 2025 instituted under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
129 liter country made *chulai* liquor from bush in field situated
near brick klin of petitioner at Village Hardiya. It is alleged that
said illicit liquor was stored by the petitioner and other co-
accused.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to his two criminal antecedents of similar nature, in
which he is on bail. He further submits that petitioner was not
present on the spot and he has no concern with the seized liquor.



Learned counsel submits that the recovery is made from an open place and petitioner has no concern with the said place. He further submits that no incriminating article has been recovered from the conscious possession of petitioner. Learned counsel submits that petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court, Excise-2, Nawada in connection with Excise P.S. Case No.389 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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