

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49248 of 2025

Arising Out of PS. Case No.-266 Year-2025 Thana- Excise P.S. District- Banka

Mithilesh Yadav S/o Bhothari Yadav Resident of village- Baliya Kitta, P.S.-
Motiya, District- Godda, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Mishra

For the Opposite Party/s : Mr.Suresh Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Banka Excise P.S. Case No. 266/2025 dated 20.06.2025 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 91.875 litres of illicit foreign liquor was recovered from the tempo.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is the driver of the said vehicle. The petitioner has no concern with the alleged



recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Banka Excise P.S. Case No. 266/2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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