

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54537 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- FESHAR District- Aurangabad

Mithlesh Kumar @ Bhediya @ Mithlesh Yadav S/o Prabhu Yadav R/o vill -
Patoi, P.S.- Fesar, Distt.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered
under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
68.220 litres of illicit liquor from the motorcycle without
number plate. Two persons tried to flee away from the spot but
one person, namely, Sonu Kumar caught by the police, who
disclosed that another person who fled away was the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to confessional statement of co-accused Sonu Kumar.
Further submission is that petitioner has no concern with the
seized illicit liquor or motorcycle. Nothing has been recovered



from the conscious possession of the petitioner. Except the confessional statement of co-accused, there is nothing alleged against the petitioner. Petitioner has one criminal antecedent of similar nature in which, he is on bail. 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 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 Special Judge, Excise-II, Aurangabad in connection with Fesar P.S. Case No. 76 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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