

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63942 of 2025

Arising Out of PS. Case No.-324 Year-2025 Thana- AMAUR District- Purnia

Mithilesh Vishwas @ Mithilesh Kumar S/o Late Sadanand Vishwas R/o
Village- Gangoli, PS- Jalalgarh, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr .Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Amour P.S. Case No. 324 of 2025 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received information about transportation of illicit liquor in a Hyundai Car. The said vehicle was intercepted and one person fled away from the vehicle and the co-accused driver, Vinod Kumar, was apprehended, who disclosed the name of the petitioner who fled away from the vehicle. On search of the vehicle, 80 liters of foreign liquor was recovered.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner, who was not apprehended from the spot. The petitioner is neither the owner nor the driver of the said vehicle which has been seized and he has no concern either with the co-accused or seized liquor. The petitioner is having clean antecedent and is in custody since 29.07.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the conscious possession of the petitioner and he was not apprehended from the spot and also considering the period of custody of the petitioner, he is directed to 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 learned Exclusive Special Excise Court No. 2, Purnea/court concerned in connection with Amour P.S. Case No. 324 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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