

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74645 of 2025

Arising Out of PS. Case No.-409 Year-2025 Thana- JHAJHA District- Jamui

Mithu Kumar @ Mithu Yadav S/o Sulendra Yadav @ Surendra Yadav R/o
Village- Seva, P.S.- Gidhaur, Dist.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Sections 30(a) & 32 of Bihar Prohibition and Excise Act.

3. As per prosecution case, 822 litres of illicit foreign
liquor was recovered from three white color Scorpio vehicles
bearing Registration Nos. BR-46P-6555, BR-46P-4942 & BR-
05H-5986 and three co-accused persons were apprehended on
the spot who disclosed the names of petitioner and other co-
accused as fled away persons.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of disclosure statement of co-accused
persons. Further submission is that petitioner was not present on



the spot and he has no concern with the seized illicit liquor. Petitioner is a student of B.A. (Semester-II) and on the alleged date of occurrence, he had gone to Chakai, which is about 30 km away from the place of occurrence, to appear in the examination and in this regard, he has also filed the copy of the admit card with the petition (Annexure- P-2). It is submitted that no incriminating article has been recovered from the conscious possession of petitioner. The seizure list has not been prepared in accordance with mandatory provisions of law. Similarly situated co-accused Rajiv Kumar @ Rajeev Kumar has already been granted regular bail by this Court *vide* order dated 08.10.2025 passed in Cr. Misc. No. 71307 of 2025. Petitioner is in custody since 22.08.2025 and he has got clean antecedent. There is no likelihood of absconding of the petitioner or tampering with the evidence and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Court concerned in connection with Jhajha P.S. Case
No.409 of 2025.

(Sunil Dutta Mishra, J)

utkarsh/-

U		T	
---	--	---	--

