

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79805 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- Lakho District- Begusarai

Mithun Singh S/o Pradeep Singh Resident of Village- Kathel, P.S.- Amarpur,
District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Adv

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Lakho
P.S. Case No. 86 of 2025, instituted for the offences punishable
under Sections 30(a), 32(3), 41 of the Bihar Prohibition and
Excise Act.

3. Earlier vide order dated 17.07.2025 passed in Cr.
Misc. No. 47539 of 2025 anticipatory bail of the petitioner was
rejected by a Co-ordinate Bench of this Court.

4. The prosecution case, in short, is that 99.750 liters
liquor was recovered from car.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner submits that petitioner is owner of the seized vehicle and so far as recovery of liquor is concerned, the same was planted by the police party. It is also submitted that petitioner was not present at the place of occurrence. The petitioner is in custody since 04.09.2025 and has got clean antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakho P.S. Case No. 86 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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