

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85744 of 2025

Arising Out of PS. Case No.-785 Year-2025 Thana- BIHTA District- Patna

Mithun Kumar Son of Bhikhari Ray @ Bhikhari Yadav Resident of Village -
Dhudhua, P.S. - Muffashil (Muffasil), District - Ara (Bhojpur)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Adv

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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

ORAL ORDER

2 11-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bihta
P.S. Case No. 785 of 2025, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that that 240 liters
of country made liquor was recovered from Auto. Petitioner was
arrested on spot.

4. 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 driver of the seized vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 13.10.2025 and has got clean antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

6. 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.

7. Let the petitioner be released on bail 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 Bihta P.S. Case No. 785 of 2025.

(Rudra Prakash Mishra, J)

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