

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.337 of 2025

Arising Out of PS. Case No.-276 Year-2023 Thana- KISHANPUR District- Supaul

Mithlesh Kumar Son of Rajendra Mehta Resident of Village- Dahupatti, P.S.-
Bhaptiyahi, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kishanpur P.S. Case No. 276 of 2023, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 648 liters
liquor was recovered from one car. Petitioner was not arrested
on the spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material have been recovered from the conscious
possession of the petitioner. The petitioner has got no concern



with the alleged recovery of liquor. It is further submitted that the petitioner are neither owner nor driver of the seized vehicle. The petitioner are in custody since 25.09.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court *vide* order dated 27-02-2024, passed in Cr. Misc. No. 12669 of 2024.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sessions Trial Excise No. 1569 of 2023, arising out of Kishanpur P.S. Case No. 276 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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