

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.225 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- Lakho District- Begusarai

Mithlesh Ray @ Mithilesh Rai Son of Shatrudhan Ray Resident of Kala Chak, Ward No.12, P.S.- Biddupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Lakho PS Case No. 165 of 2024 instituted for the offences under Sections 30(a), 32(a), 32(3), 41(1) and (2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 891 litres of liquor was recovered from truck whereas 18 litres was recovered from Swift Dzire Car.

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. It is submitted



that the name of the petitioner has transpired as being owner of the seized car and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 01.11.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court *vide* order dated 09.01.2025 passed in Cr. Misc. No. 89326 of 2024.

5. Learned A.P.P. 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, clean antecedent of the petitioner 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakho PS Case No. 165 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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