

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2476 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- Lokha District- Supaul

MITHUN SADA Son of Jhahuri Sada Resident of village-- Hardi, ward no. - 11, P.S. -Supaul, District - Supaul, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-03-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Laukaha PS Case No. 15 of 2024 for the offences punishable under Sections 30(a) of Bihar Prohibition and Excise Act, 2018 and under sections 25(1-B)A/26/35 Arms Act lodged on 11.04.2024 by the informant, Mahendra Ram.

3. As per the prosecution story, upon information, the the informant alleged that in course of the raid, this petitioner fled away while the other accused apprehended. From his belonging, a country made revolver recovered/seized and further 35 litres of country made liquor in a gallon and 50 litres in a drum were seized/recovered. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that due to enmity, the petitioner has been implicated in this case, he has



no role to play in the matter but has remained in custody since 30.09.2024 (para-4 of the petition). Further, has no criminal antecedent and will be diligently appearing in trial. Lastly, one of the co-accused Suraj Kumar Yadav has been granted bail in Cr. Misc. No. 46324 of 2024.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts, his period of custody, he has no criminal antecedent and similar situate one of the co-accused has been granted bail, in that background, this Court is inclined to extend his the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Judge (Excise-1), Supaul, in connection with Laukaha PS Case No. 15 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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