

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42077 of 2026**

Arising Out of PS. Case No.-36 Year-2026 Thana- BHADHWAR District- Gaya

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Mithlesh Kumar S/o Raj Kumar Bharti @ Raj Kumar Resident of Village-  
Harni Khajura, P.S.- Maigra, Distt.- Gaya Ji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr.Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      01-07-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bhadwar P.S. Case No. 36 of 2026 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

03. As per prosecution case, the petitioner was apprehended carrying 135 litres of country made Mahua liquor on a motorcycle.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. The motorcycle from which



recovery has been made does not belong to the petitioner and the culprit, who was driving the motorcycle, fled away and the petitioner was apprehended merely on suspicion. The petitioner is having clean antecedent and he is in custody since 12.05.2026.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of recovery and period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-2, Gaya Ji/concerned Court in connection with Bhadwar P.S. Case No. 36 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

DKS/-

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