

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15280 of 2017

Arising Out of PS.Case No. -335 Year- 2016 Thana -BAHERA District- DARBHANGA

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Sushant Mishra @ Sushant Kumar Mishra @ Bam Babu, Son of Chandra
Shekhar Mishra, Resident of village - Habibhauar, P.S. Bahera, District –
Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Madhura Nand Jha, APP-102

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 18-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bahera P.S.
Case No. 335 of 2016 registered for the offences punishable under
Sections 30(a) and 37 (b) of the Bihar Prohibition of Excise Act,
2016.

Allegedly, the petitioner was traveling in a vehicle along
with three other co-accused persons and 24 bottles illicit foreign
liquor were recovered from the dickey of the said vehicle.

Submission is of false implication and that this petitioner
has taken lift in the vehicle and had no knowledge about the liquor
being carried in the said vehicle. The petitioner has got no
criminal history and is in custody since 14.12.2016 whereas Sujit
Kumar Jha who was also apprehended in the vehicle has already



been allowed bail vide Cr. Misc. No. 11496 of 2017 by another co-ordinate Bench of this Court.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Sessions Judge, Darbhanga in connection with G.O. Excise Case No. 112 of 2016 arising out of Bahera P.S. Case No. 335 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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