

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36651 of 2018

Arising Out of PS.Case No. -501 Year- 2018 Thana -AHIAPUR District- MUZAFFARPUR

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Manmohan Mishra, age 38 Years, S/o Late Vijay Kumar Mishra, R/o Vill.-
Sipahpur, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

4 24-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 272 and 273/34 of the Indian
Penal Code and Sections 30(a), 38(1) and 41(1) of the Bihar
Prohibition and Excise Act, 2016.

132.12 litres of foreign liquor is said to have been
recovered from the Alto car and the petitioner who is said to be
driver of the said car was apprehended.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
with the seized liquor. He has been falsely implicated in the case



at the instance of his enemies. He happens to be driver of the said car and he had no knowledge of carrying of the liquor in the car by its commuter who managed to escape seeing the police party leaving the aforesaid liquor in the car. Though one more case under Excise Act has been lodged against the petitioner, but he is on bail in the aforesaid case. Petitioner has been languishing in custody since 19.05.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Ahiyapur P.S. Case No. 501 of 2018.

(Prakash Chandra Jaiswal, J)

Mishra/-

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