

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68852 of 2018

Arising Out of PS.Case No. -183 Year- 2018 Thana -JALALPUR District- SARAN

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Birendra Mishra, S/o Vikrama Mishra, Resident of Village- Rith, P.S.-
Ekma, District- Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Tiwari

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-11-2018 Heard learned counsel for the petitioner and learned counsel
for the State.

Petitioner seeks bail in connection with Jalalpur P.S. Case
No.183 of 2018 registered for the offence punishable under
Sections 413, 414/34 of the Indian Penal Code and Section 30(a)
of Bihar Prohibition and Excise Act.

Allegation against the petitioner is recovery of 54 litres of
foreign liquor.

It has been submitted on behalf of the petitioner that he has
committed no offence and has been falsely implicated in this case
and recovery is not made from the conscious possession of the
petitioner. Petitioner is in custody since 14.09.2018.

Considering the aforesaid facts and circumstances of the



case, let the petitioner named above be released on bail upon furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 6th Court of ADJ-cum-Special Judge, Excise Act, Saran at Chapra in connection with Jalalpur P.S. Case No.183 of 2018, with following conditions :-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjeev/-

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