

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8324 of 2018**

Arising Out of PS.Case No. -143 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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1. Dheeraj Mishra, Son of Santosh Mishra, Resident of Village- Pandeypur,  
P.S.- Sikraul, District- Buxar.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Shailendra Kumar -2

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA**  
**JAISWAL**  
ORAL ORDER

02 16-02-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in Muffasil P.S. Case No.  
143 of 2017 registered under Section 30 (a)/38 of the Bihar  
Prohibition and Excise Act, 2016 and Section 25 (1-b)a/26/35 of  
the Arms Act.

7.5 liters of foreign liquor and 2.4 liters of country  
made liquor are said to have been recovered from the Scorpio  
vehicle and one loaded pistol having two live cartridges were  
recovered from the possession of the petitioner sitting in the said  
vehicle.

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 and the arms and ammunitions. He has been falsely implicated in this case at the instance of his enemy planting the said recovery from his possession. Though one criminal case is pending against the petitioner but he is on bail in the said case. Chargesheet against the petitioner has already been submitted. He has been languishing in custody since 21.08.2017.

In the facts and circumstances of the case, 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 Additional Sessions Judge-VII-cum-Special Judge Excise, Aurangabad in connection with Muffasil P.S. Case No.143 of 2017.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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