

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45768 of 2018

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Keshav Kumar Mishra, Son of Mukesh Mishra, resident of village- Sahila
Rampur. P.S. – Hathauri, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party : Mr. Ram Priya Saran Singh, APP.

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

ORAL ORDER

02 27-07-2018 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 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

8.640 liters of illicit liquor is said to have been recovered from the tempo and the petitioner was apprehended from the said tempo while two other persons managed to escape.

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 either with the seized liquor or the tempo in question. He happens to be a simple commuter and had no knowledge of keeping of the said liquor in the said tempo while the real culprit managed to escape



seeing the police party leaving the aforesaid liquor in the tempo.
He has no criminal antecedent and has been languishing in custody since 02.07.2018.

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 court of Special Judge, Excise Act, Muzaffarpur in connection with Hathauri P.S. Case No. 127 of 2018.

(Prakash Chandra Jaiswal, J)

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