

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24638 of 2018

Arising Out of PS.Case No. -247 Year- 2017 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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Amit Mishra, S/o Kameshwar Mishra, resident of Village- Kushhar, P.S.-
Turkauliya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-05-2018 Heard learned counsel for the petitioner and the learned
APP for State.

The petitioner is languishing in judicial custody since
01.03.2018 in connection with Kotwa PS Case No. 247 of 2017
for offences punishable under Sections 272, 273, 414 of the Indian
Penal Code and 30 (a), 35 (b) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case as lodged by the police personnel
is that on secret information that some of the persons are dealing
in foreign liquor for new year celebrations, the police officials
raided the house of co-accused Ravindra Singh, who fled away but
co-accused Pannalal Shah was apprehended and 88 litres illicit
liquor was recovered from the car and 106 litres of foreign liquor



was recovered from the sugarcane field of co-accused Ravindra Singh. Some of the accused persons managed to flee away and the petitioner is one of them.

It has been submitted by the learned counsel for the petitioner that he is innocent. He has been falsely implicated in the present case. He further submits that nothing has been recovered from conscious possession of the petitioner and apprehended co-accused Pannalal Shah has since been granted privilege of bail by a coordinate bench of this Court in Cr. Misc. No. 10590 of 2018 vide order dated 23.02.2018. He submits that some of the other co-accused also has been granted privilege of bail by different coordinate benches of this court and just because the petitioner has a criminal antecedent and has one more case of similar nature pending against him in which, he has also been alleged to have fled away, he has been refused bail by the learned Court below.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and material available on record, let the petitioner above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousands) with two sureties of the like amount each to the



satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, Excise, Motihari in connection with Kotwa PS Case No. 247 of 2017.

(Nilu Agrawal, J)

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