

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10499 of 2019

Arising Out of PS. Case No.-174 Year-2018 Thana- JHANJHARPUR District- Madhubani

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Deepak Mishra @ Deepak Kumar Mishra S/O Late Lal Mishra Resident of
Village - Pattitol , P.S- Bhairav Sthan, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-02-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Jhanjharpur P. S. Case No. 174 of
2018 dated 17.12.2018 instituted for the offences under
Sections 272, 273 and 34 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

1055.790 of litres of liquor is said to have been
recovered from a building belonging to Bhawani Constructions
and also from a vehicle which was parked in the premises of
the aforesaid construction. The name of the petitioner has
transpired in the statement of arrested accused persons who



have intimated to the police officer conducting the raid that the vehicle belongs to the petitioner.

Learned counsel for the petitioner has submitted that it is a wrong statement and the petitioner does not have any ownership of the vehicle in question. In fact, it has been submitted that the petitioner, in future also, would not lay any claim over the ownership of the vehicle in question. Thus, for all practical purposes, the implication of the petitioner is only on the basis of confession of arrested accused persons and there is no recovery from his personal or constructive possession.

Regard being had to the aforesaid facts as also taking into account the clean antecedents and his general place of residence to be in Noida, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II cum Special Judge (Excise Act), Madhubani in connection with



Jhanjharpur P. S. Case No. 174 of 2018, subject to the
conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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