

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62917 of 2019

Arising Out of PS. Case No.-110 Year-2019 Thana- EKMA District- Saran

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Banti Mishra, Son of Late Chandra Kishore Mishra Resident of Village - Rith,
P.S.- Ekma, Distt - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner seeks regular bail in connection with Ekma
P.S. Case No.110 of 2019, for the offence punishable under
Sections 272, 273 of the Indian Penal Code and Section 30(a) of
the Bihar Prohibition and Excise Act.

The allegation against the petitioner as per the First
Information Report is that a truck was intercepted by the police
and from where a total quantity of 3283 litres of illicit foreign
liquor was recovered and one person, namely, Kulvir, was
arrested by the police who disclosed the name of the petitioner
and others allegedly involved in the business of illicit liquor.

Mr. Devendra Narain Singh, learned counsel
appearing for the petitioner submits that petitioner has falsely



been implicated in this case on the basis of confessional statement made by arrested co-accused. Learned counsel further submits that petitioner has got no criminal offence of the similar nature and one case was registered against the petitioner under Sections 419, 420, 467, 468 of the Indian Penal Code. Learned counsel further submits that the petitioner is in custody since 17.07.2019.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioner is not the owner of the truck as well as no illicit liquor has been recovered from the conscious possession of the petitioner and his name has been transpired on the basis of the statement made by the arrested co-accused and he is in custody since 17.07.2019, I am inclined to grant regular bail to the petitioner. Accordingly, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 11th Additional District and Sessions Judge, Saran at Chapra, in connection with Ekma P.S. Case No.110 of 2019.

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(Anil Kumar Sinha, J)

