

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68975 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- MANIGACHI District- Darbhanga

ABHISHEK KUMAR MISHRA @ HARHAR(M), aged about 29 years, S/o
Sri Hitendra Narayan Mishra @ Hitendra Narayan Mishra, R/o Village/Town-
Makranda, P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Brisketu Sharan Pandey, Advocate.
For the Opposite Party : Mr.Tarun Prasad Mandal,A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 272, 273/34 of the IPC and 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 163.890
liters wine is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since
14.08.2019. The petitioner has got no criminal antecedent. The
petitioner has falsely been implicated in the present case. There
is no allegation of tampering with the witnesses alleged against
the petitioner. It is alleged that total 163.890 liters wine is



recovered from the co-accused. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 2nd-cum-Special Judge, (Excise Act), Darbhanga, in connection with Manigachhi P.S. Case No. 50 of 2019, G.O. Case No.328 of 2019.

(Sudhir Singh, J)

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