

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86758 of 2019

Arising Out of PS. Case No.-280 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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JAI PRAKASH MISHRA Son of Dhirendra Mishra @ Dhirendhar Mishra
Resident of Village- Ramdas Baghi @ Ram Das Bagahi, P.S.- Kateya,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Excise Case No. 280 of 2019 under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 29.500 liters
of illicit liquor from the orchard of the petitioner.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case. It is
further submitted that the petitioner is having a clean antecedent
and is languishing in custody since 02.12.2019. It is further
submitted that the orchard of the petitioner is situated in an open
field, hence the petitioner cannot be saddled with the liability of



illicit liquor recovered from the orchard of the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner coupled with the fact that the petitioner is having a clean antecedent and no recovery of illicit liquor has been made from the conscious possession of the petitioner, I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the petitioner, above named, is directed to be enlarged on regular bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Session Judge 2nd cum Special Judge Excise Act, Gopalganj in connection with Excise Case No. 280 of 2019.

(Mohit Kumar Shah, J)

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