

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35705 of 2021

Arising Out of PS. Case No.-120 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

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KUNAL MISHRA Son of Ravi Shankar Mishra Resident of Village -
Pirwatand, P.S. - Bokaro Thermal, District - Bokaro (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Kumar Panday
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under Section 30a/56(b) of the Bihar
Prohibition and Excise Act.

As per the prosecution case, total 135 liters of foreign
liquor was recovered from the Scorpio vehicle of which
petitioner was the owner.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner and he is no way
concerned with the alleged recovery as the vehicle in question
was plying on the road on rent and he was not aware of the



nature of consignment being carried by the driver of the vehicle.
Petitioner claims clean antecedent. Petitioner is in custody since
21.3.2021. Investigation is complete.

Learned counsel appearing for the State opposes the
prayer for bail.

Considering the rival submissions of the parties, let the
petitioner, above named, be released on bail on furnishing bail
bond of Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of Additional Sessions Judge-II
cum Special Judge, Excise Act, Gaya in Gaya Excise Police
Station case no. 120 of 2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be
properly represented on each and every date fixed by the Court
and shall remain physically present as directed by the Court and
on his/her absence on two consecutive dates without sufficient
reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the
witnesses, in that case the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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