

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35430 of 2020

Arising Out of PS. Case No.-125 Year-2020 Thana- BHAIKAVSHTHAN District-
Madhubani

=====

RADHEYSHYAM MISHRA Son of Late Ramsaran Mishra Resident of
Village - Pattitol, P.S.- Bhairabsthan, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 30-01-2021 Heard Mr. Shashank Shekhar, learned counsel for
the petitioner and Mr. Akshay Lal Pandit, Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Bhairavsthan PS Case No. 125/2020 registered for the offence
punishable under Sections 272, 273 of the IPC and Section
30(a) of Bihar Excise Act.

3. The allegation, as per First Information Report, is
that a total quantity 2100.930 litres of illicit liquor has been
recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case with an
oblique motive and he is having no criminal antecedents.
Learned counsel further submits that in the First Information



Report, it has been alleged that illicit liquor has been recovered from the house of the petitioner and from perusal of the seizure list, it would be evident that the place from-where illicit liquor has been recovered, does not indicate the house of the petitioner.

5. Learned counsel next submits that the house, from-where the illicit liquor has been recovered, is a joint family property in which other co-sharers and family members also reside . Learned counsel also submits that petitioner is in custody since 14.08.2020 and charge-sheet has already been submitted in this case.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact the petitioner is in custody since 14.08.2020, charge-sheet has already been submitted in this case and there is no likelihood that the petitioner will abscond or will tamper with the evidence, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, RADHEYSHYAM MISHRA 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 learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Bhairavsthan PS Case No. 125/2020.



8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

