

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36496 of 2022

Arising Out of PS. Case No.-153 Year-2021 Thana- DEWARIA District- Muzaffarpur

NAND KISHORE MISHRA Son of Shyam Sundar Mishra R/o Vill.-
Chandpura, P.S.- Deoria, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 272 and 273 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act.

7.875 litres of illicit foreign liquor has been recovered
from the place of occurrence near the house of the petitioner. The
petitioner is said to have fled away from the place of occurrence
after seeing the police.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. There is no recovery from the conscious possession of
the petitioner.



Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge Excise, Court No.-II, Muzaffarpur in connection with Deoria P.S. Case No.153 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J.)

Sanjay/-

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