

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 63358 of 2021**

Arising Out of PS. Case No.-61 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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MONU MISHRA @ MANU MISHRA @ MANNU MISHRA S/O
DEENANATH MISHRA Wrongly mentioned 19 years aged in F.I.R., R/o
Mohalla- Civil Line, Ward No. 19, Buxar, P.S.- Buxar (Town), P.O.- Buxar,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Anil Kumar Roy, Advocate

For the Opposite Party/s : Mr Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 30-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner seeks bail in Official Case No 61 (O) of
2021, CIS No 384 of 2021 registered for the offence punishable
under Section 30 (a) of Bihar Prohibition and Excise
(Amendment) Act, 2018.

10.440 liters of English liquor has been recovered
from the petitioner's E rickshaw.

Learned counsel for the petitioner submits that the
illicit liquor was placed in the E Rickshaw by some passenger
regarding which the petitioner had no knowledge. He is in



custody since 07.03.2021. He is accused in four other cases of similar nature and in all of them, he is on bail.

The learned APP has opposed the prayer for bail.

Considering the rival submissions, period of custody and the fact that the investigation is complete, this Court, for the purposes of grant of bail, is, thus, inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge II -cum- Special Judge, Excise Act, Buxar in Official Case No 61 (O) of 2021, CIS No 384 of 2021 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to



honour his undertaking given in the instant proceedings today
for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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