

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53694 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Rajan Mishra Son Of Krishna Kumar Mishra Resident of Village - Ramouli,
P.s.- Bahera, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Excise P.S. Case No. 66 of 2022 registered for
the alleged offences under Section 30(a) of the Bihar Prohibition
Act and Excise Act, 2018.

As per prosecution case, police received secret
information about a Maruti Suzuki car being used to carry illicit
liquor and the said car was signaled to stop and when it did not
stop, it was chased. Two persons tried to fled away from the
spot and one of them was apprehended, who is petitioner of this



case. From the *dickey* of the car, recovery of total 103.680 litres of India made foreign liquor was made.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he has been apprehended merely on suspicion. The petitioner is neither the owner nor the driver of the said vehicle and he has merely taken a lift on the said vehicle and he was not aware about the illicit liquor being carried in the said vehicle. The petitioner is in custody since 03.05.2022 and charge-sheet has been submitted.

Learned APP opposes the prayer for bail submitting that the petitioner has got one criminal antecedent.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering his period of custody along with the submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-1 (Excise Act), Darbhanga in connection with Excise P.S. Case No. 66 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

Rajnish/-

(Arun Kumar Jha, J)

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