

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64083 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- PUNPUN District- Patna

BABLU MISHRA Son of nand Kishore Mishra Resident of Village - Nadwan
West,P.S. - Dhanarua, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Atul Shankar

For the Opposite Party/s : Mr.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Special Case No. 1545 of 2021, arising out of Punpun P.S. Case
No. 58 of 2021, for the offence punishable under Section 30(a)
of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation of recovery of 160 litres of country
made liquor from a car in which the petitioner was sitting.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of the petitioner. He has no concern either
with the manufacturing of liquor or its trade in any manner. He



further submits that similarly situated co-accused Suraj Kumar has already been enlarged on bail vide order dated 28.04.2022 passed in Criminal Miscellaneous No. 62914 of 2021. The petitioner has clean antecedent and he is in custody since 03.03.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that trade of illicit liquor is rampant in the State of Bihar and often hooch tragedy is being occurred due to consumption of illicit liquor by the people at large and as such petitioner is involved in heinous crime and he does not deserve to be released on bail.

Considering the aforementioned facts and circumstances of the case and period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 1,60,000/- (Rs. One Lakh and Sixty thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Patna in connection with Special Case No. 1545 of 2021, arising out of Punpun P.S. Case No. 58 of 2021, subject to the following conditions:-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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