

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68005 of 2021

Arising Out of PS. Case No.-631 Year-2021 Thana- SARAIYA District- Muzaffarpur

SHIVA SHANKAR MISHRA @ SHIVSHANKAR MISHRA Son of Ram
Sanjog Mishra R/O Village - Kasawa, P.S.- Saraiya (Jaitpur O.P.), District -
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-05-2022 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
Saraiya (Jaitpur O.P) P.S. Case No. 631 of 2021, for the offence
punishable under Section 25(1-b)a, 26 of the Arms Act and
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation of recovery of one country made
loaded pistol as well as one bottle foreign liquor containing 375
ML from the dicky of the motorcycle of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. The petitioner has clean antecedent and



he is in custody since 09.09.2021.

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. 25,000/- (Rs. Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise), Muzaffarpur in connection with Saraiya (Jaitpur O.P) P.S. Case No. 631 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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