

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14078 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

SUDHIR MISHRA @ SUDHIR KUMAR MISHRA Son of Arvind Kumar
Mishra R/v- Dwarika Nagar, P.S.- Mushari, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 272, 273, 420 and 120B of the Indian Penal Code and Section 30(a), 32(i)(ii), 36, 41(i) of the Bihar Prohibition and Excise Act.

As per prosecution case, on receiving secret information, the police party started checking the vehicles and on search, there has been recovery of 427.320 liters of illegal foreign liquor from a Truck. It is further alleged that the apprehended persons delivered the wine to petitioner and other co-accused persons.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has



committed no offence. Petitioner has not apprehended on spot. He submitted that the petitioner has no concern either with the seized truck or with the wine in question. The name of the petitioner has come into light, on the basis of confessional statement of of co-accused Bijendra Singh. No incriminating article has recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 21.01.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Bhairavsthan P.S. Case No. 05 of 2023.

(Sunil Kumar Panwar, J)

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