

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37476 of 2023

Arising Out of PS. Case No.-133 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

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AMIT KUMAR MISHRA @ AMIT MISHRA S/O LATE RAMSHANKAR
MISHRA R/O Village- Mahamadpur Shivram, P.S- Sakra, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-06-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner has preferred this application for grant

of regular bail in connection with Sadar (Mabbi O.P.) P.S. Case

No. 133 of 2023 dated 23.02.2023 registered for the offences

punishable u/s section 30(a) of the Bihar Prohibition and Excise

Act.

As per the prosecution case, total 469.08 litres of

foreign liquor was recovered from the car and the truck.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is neither the driver nor the owner of the said vehicle. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.02.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Sadar (Mabbi O.P.) P.S. Case No. 133 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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