

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31373 of 2023**

Arising Out of PS. Case No.-619 Year-2022 Thana- MAJHAULIA District- West Champaran

DEEPAK MISHRA Son of Ganesh Mishra Resident of village - Dubwalia,
P.S. - Majhauria, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii, Advocate

For the Opposite Party/s : Mr.Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 22-05-2023 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 Majhauriya P.S. Case No. 619 of 2022 dated 22.08.2022 registered for the offences punishable u/s 30(a)(d) of the Bihar Prohibition and Excise Act.

As per the prosecution case, 7.380 litres of illegal liquor was recovered from the thatched hut which is located near the house of the petitioner.

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 thatched hut does not belong to the petitioner. The petitioner is accused in seven other criminal cases and he is on bail in the five aforesaid cases as stated in para 3 of the bail petition. The petitioner is in custody since 17.02.2023.

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, Bettiah, West Champaran in connection with Majhauriya P.S. Case No. 619 of 2022, with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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