

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62203 of 2023

Arising Out of PS. Case No.-267 Year-2019 Thana- EKMA District- Saran

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DHARMENDRA MISHRA @ DHARMENDRA KUMAR MISHRA Son of
Devnath Mishra R/o vill - Rith, P.S. - Ekma, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anjani Parashar

For the Opposite Party/s : Mr.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 467, 468 and 120B of
the IPC and Section 30(a) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of total 2610 liters
IMFL from a Truck found near a bridge and driver of the said
truck was apprehended on the spot who disclosed the name of
various persons including the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this case. He has no
concern with the alleged recovery of liquor or with the vehicle
in question. Neither the petitioner was arrested on spot nor any



incriminating article has been recovered from his conscious possession. The name of the petitioner has been disclosed in this case by the apprehended co-accused truck driver namely, Surendra Singh @ Sonu, has already been enlarged on bail by another coordinate Bench of this Court vide order dated 29.11.2019 passed in Cr. Misc. No.77761 of 2019 which is annexed as Annexure-2 of this petition. Petitioner is languishing in judicial custody since 26.07.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Additional Sessions Judge-II-cum-1st Exclusive Special Judge, Excise, Saran at Chapra in connection with Ekma P.S. Case No. 267 of 2019.

(Sunil Kumar Panwar, J)

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