

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6284 of 2017**

Arising Out of PS.Case No. -488 Year- 2016 Thana -SIKARPUR District-  
WESTCHAMPARAN(BETTIAH)

=====

Om Prakash Upadhayay, Son of Ayodhya Nath Upadhayay, Resident of  
village Koerigawan, P.S. Shikarpur, District-West Champaran.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**

ORAL ORDER

2      08-03-2017                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner is accused in connection with  
Shikarpur P.S. Case No. 488 of 2016, registered under Sections  
30(a), 30(c), 38(i), 38(ii), 41(i) of Bihar Prohibition and Excise  
Act, 2016.

The accusation is that Police reached near grocery  
shop of the petitioner then one person started to flee away with  
the motorcycle, but he was apprehended by the Police, who  
disclosed his name as Ayodhya Nath Upadhyay. On search of  
the motorcycle, 10 bottles, each containing 180 ML, India made  
foreign liquor recovered. The apprehended also disclosed about  
purchasing the same from the grocery shop of petitioner.



Thereafter, shop of the petitioner was searched from where 20 cartons containing 960 bottles, each containing 180 ML, 120 bottles, each containing 375 ML, India made foreign liquor recovered.

Learned counsel for the petitioner submits that in the present case, the petitioner is in custody since 21.11.2016. Further submission is that petitioner is accused in Shikarpur P.S. Case No. 23 of 2014, but he is on bail in that case.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 488 of 2016.

**(Rajendra Kumar Mishra, J)**

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