

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50998 of 2017

Arising Out of PS. Case No.-360 Year-2017 Thana- ARA TOWN District- Bhojpur

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Gopal Kumar Upadhyaya @ Gopal Upadhyaya @ Darogajee, son of Mohan Upadhyaya @ Sheo Mohan Upadhyaya, Resident of village- Baraki Singhahi, P.S.- Ara Town, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra kumar, Advocate

For the Opposite Party/s : Mr. S. EHTESHAMUDDIN, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under Section 30 (a) of Bihar Excise Amendment Act, 2016.

It is contended that, as per allegation, about 46 liters of foreign liquor was recovered from the open field. Nothing has been recovered from the possession of the petitioner. It is urged that the petitioner is in custody since 1.07.2017. It is stated in paragraph 3 of the bail petition that the petitioner has also involved in five other cases.

Considering the facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-IV, Ara in connection with Excise Case No. 2245/17 arising out of Ara Town P.S. Case No. 360/17 with a condition that if the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

That apart, in view of the antecedents of the petitioner, he would be required to appear before the Superintendent of Police, Ara within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned which should be granted by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

V.K.Pandey/-

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