

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42354 of 2018

Arising Out of PS. Case No.-99 Year-2018 Thana- ITADHI District- Buxar

=====

Upendra Singh @ Upendra Singh Morya, Son of Devchandra Singh,
Resident of Village Itarhi, P.S.- Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Nand Kishore Pd

=====

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

ORAL ORDER

3 09-08-2018 As prayed, learned counsel for the petitioner is permitted to make necessary correction regarding quantity of liquor in paragraph 9 of the bail petition during course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Itarhi P.S. Case no. 99 of 2018 registered for the offence punishable under Sections 30(a), 35, 38 of the Bihar Prohibition and Excise Act, 2016.

440 lts. of foreign liquor is said to have been recovered from cell made in the ceiling of washroom of the petitioner and petitioner and his wife were apprehended.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern with the seized liquor. The house of the petitioner is inhabited by his several other family members and he had no knowledge of keeping of liquor in his washroom by someone. He has been falsely implicated in this case at the instance of his enemy. Though one more criminal case has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 02.05.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-II-cum-Special Judge, Excise Act, Buxar in connection with Itarhi P.S. Case no. 99 of 2018.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

