

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3197 of 2019

Arising Out of P.S. Case No.-976 Year-2018 Thana- FORBESGANJ District- Araria

Umesh Prasad Gupta @ Umesh Pd. Gupta, aged about 50 years (Male), son of Late Shiv Prasad Gupta, resident of Vill-Mushari Tola, Koreli, Ward No.03,P.S-Forbesganj, Distt.-Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-01-2019 Heard the learned counsel for the petitioner and learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Special Case No.1641 of 2018 arising out of Forbesganj P.S.Case No.976 of 2018 for offence alleged under Sections 30(a) of the Bihar Prohibition Excise Act.

The prosecution case as lodged by the police personnel is that during patrolling, he got secret information that liquor is being carried by some persons. The motorcycle of the petitioner was intercepted and from the dickey a plastic bag containing 17 liters of *Mahua* wine was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, there is no criminal antecedent and has falsely been implicated in the aforesaid case due to high handedness of the police. He further undertakes not to induce witnesses or tamper with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the period of custody, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Special Case No.1641 of 2018 arising out of Forbesganj P.S. Case No.976 of 2018 to the satisfaction of learned 2nd Additional Sessions Judge, Araria.

(Nilu Agrawal, J)

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