

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18779 of 2019**

Arising Out of PS. Case No.-286 Year-2018 Thana- DURAULI District- Siwan

UPENDRA GUPTA, Son of Late Baijnath Gupta, R/o Village- Bhitaoli, P.S.-
Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Dwivedi, Advocate
For the Opposite Party/s : Mr.Khurshid Anwar, APP

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER**

3 23-05-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Darauli P.S. Case No.286 of 2018 for allegedly having committed the offence under Sections 30(a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the alleged recovery was not from the conscious possession of the petitioner but outside his house.

Considering the fact that the alleged recovery was not from the conscious possession of the petitioner and he has no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a



copy of this order, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional District & Sessions Judge cum Special Judge, Excise, Siwan, in connection with Darauli P.S. Case No.286 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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