

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35247 of 2019

Arising Out of PS. Case No.-64 Year-2019 Thana- FATEHPUR District- Gaya

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Uplesh Paswan, Son of Dashrath Paswan, Resident of Village- Mocharak,
P.O- Naoudiha Jhurang, P.S- Fatehpur, OP- Gurpo, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-08-2019 This is an application for grant of anticipatory bail in connection with Fatehpur P.S. Case No. 64 of 2019, disclosing offences under Section 406 of the Indian Penal Code and Sections 30(a) & 32(2) of the Bihar Prohibition and Excise Act, 2016.

Prosecution story is that police intercepted one motorcycle and one of the accused succeeded in fleeing away and from the motorcycle one liter of country made liquor has been recovered.

Submission of the learned counsel for the petitioner is that he has falsely been implicated in this case, at the instance of the accused and motorcycle also does not belong to the petitioner.

Heard learned A.P.P. also who has opposed the prayer



for bail.

Having heard both sides, in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the learned court below to verify the submission of the learned counsel for the petitioner that motorcycle does not belong to the petitioner. Once, he is satisfied with the submission, he will be released on bail to his own satisfaction of the learned court below itself, otherwise, petitioner has to surrender and pray for regular bail.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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