

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36485 of 2019**

Arising Out of PS. Case No.-311 Year-2019 Thana- MASAUDHI District-
Patna

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UPENDRA KUMAR, aged about 30 years, male, Son of Hira Prasad
Resident of Village - Nadaul Gola Par, P.S.- Masaurhi, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ramadhar Shekhar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 22.04.2019 in connection with Special Case No. 4023 of 2019 arising out of Masaurhi P.S. Case No. 311 of 2019 for the offences alleged under Sections 30(a), 30(D), 37(C) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. It is submitted that the petitioner has been falsely implicated on the allegation of having consumed liquor and also with regard to recovery of 50 Kg. of Mahua flower. The petitioner has already suffered about two months in custody. The petitioner has one criminal antecedent of different nature.

4. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, Patna, in connection with Special Case No. 4023 of 2019 arising out of Masaurhi P.S. Case No. 311 of 2019, on the following conditions-



(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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