

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78605 of 2018

Arising Out of PS. Case No.-357 Year-2018 Thana- DARIYAPUR District- Saran

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Upendra Rai S/o Shiv Charan Rai, Resident of Village- Darbesha, P.S.
Dariyapur, District Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-01-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Dariyapur P.S.Case no.357 of 2018 , registered for offences punishable under Sections 30, 30(a), 38, 41 of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is about recovery of 2557 ltrs. of liquor from a vehicle and three persons have been arrested from there and they disclosed the name of the petitioner also, who succeeded in fleeing away. The co-accused has also stated that they were carrying the liquor to the house of the petitioner and earlier also they had delivered the liquor to him.

Submission of the learned counsel for the petitioner is that the petitioner has no criminal antecedent and the except the disclosure made by the co-accused there is nothing against him



and there is no recovery from him.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge cum Special Judge (Excise) Saran in connection with Dariyapur P.S.Case No.357 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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