

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34116 of 2021**

Arising Out of PS. Case No.-19 Year-2021 Thana- BUXAR District- Buxar

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UPENDRA KUMAR @ UPENDRA SINGH Son of Mandil Singh Resident
of Village- Pandey Patti, Buxar, Police Station- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-12-2021 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Buxar (T) P.S. Case No. 19/2021, registered for the offence punishable under Sections 30(a) of the Bihar Prohibition (Excise) Act.

The allegation is regarding recovery of 69 liters of illicit liquor from a tata magic vehicle.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and



he is languishing in custody since 10.1.2021. The learned counsel for the petitioner has submitted by referring to paragraph no. 6 of the present petition that the petitioner is not the owner of the vehicle in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not the owner of the vehicle in question from where the illicit liquor has been seized, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ II cum Spl. Judge, Excise, Buxar in connection with Buxar (T) P.S.



Case No. 19 of 2021 (CIS No. 52 of 2021).

(Mohit Kumar Shah, J)

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