

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.27990 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- AMAS District- Gaya

UPENDRA SINGH @ UPENDAR KUMAR SINGH, S/o Shatrughan Singh,
Resident of Village-Anjan, P.S-Madanpur, District-Aurangabad

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : M/s Bachan Jee Ojha & Binor Kr. Pandey, Advs.

For the Opposite Party : Mrs. Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-02-2021 As prayed for, let the learned counsel for the
petitioner remove the defect(s), as point out by the office vide
it's note, dated 17.10.2020, within four weeks of starting of the
Court in physical mode.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Amas P.S. Case No. 3 of 2020, registered under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016.

The accusation is that on 02.01.2020, informant
received information about carrying the illicit liquor loading on
Tata Indica vehicle, bearing registration no. JH-10E-7632, then,
informant and other police officials reached at Amas Toll and
started the checking of vehicle. In that course while colour Tata
Indica vehicle, bearing registration no. JH-10E-7632 was seen
and the same was stopped. The driver of the indica vehicle
disclosed his name Dhanraj Kumar. On search, 900 bottles,
each of 300 ml, and 400 bottles, each of 200 ml of Indian made



foreign liquor recovered. On query, the driver, Dhanraj Kumar, disclosed that bottles of liquor are of Upendra Singh (petitioner) and Sanjit Kumar.

Submission is that petitioner is neither the owner of the vehicle nor he is connected anywhere with the seized bottles of the liquor, rather the name has been disclosed by co-accused, Dhanraj Kumar, who was apprehended by the police with the vehicle from which the bottles of Indian made foreign liquor recovered. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Amas P.S. Case No. 3 of 2020 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Court, Gaya, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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