

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36908 of 2020

Arising Out of PS. Case No.-384 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

Upendra Kumar Son of Jamadar Mahto resident of Karinga Mushahary, P.S.-
Muffasil, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. J.K. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 20-02-2021 Heard learned counsel for the petitioner and learned
APP for the State. Learned counsel for the petitioner has filed an
undertaking to remove all the defects pointed out by the Stamp
Reporter as and when required. It is accordingly directed that all
defects pointed out by the Stamp Reporter be removed within
one month hereof.

2. The petitioner is in custody since 26.08.2020 in
connection with Muffasil P.S. Case No. 384 of 2020 for the
alleged offences under Sections 30(a) and 41 of the Bihar
Prohibition and Excise Act, 2016.

3. It is submitted that the petitioner has been falsely
implicated in connection with recovery of 50 litres of country-
made wine from a motor-cycle. The petitioner denies recovery
of the offending goods from his conscious possession. In any



event, the petitioner has already suffered custody for more than five months, and claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 26.08.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Muffasil P.S. Case No. 384 of 2020, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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