

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11342 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Upendra Kumar Son of Krishna Singh R/O Village- Gijna, P.S.- Jamhore,
District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Adv.
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Excise
Case No. 31/2022 lodged under Section 30 (a) of the Bihar
Prohibition and Excise Act, 2018.

As per allegation made in the FIR, recovery of total
165 liters of illegal country made liquor from the Auto.

Learned counsel for the petitioner submits that
nothing has been recovered from the conscious possession of
the petitioner and there is gross violation of Section 100 Cr.P.C.
He further submits that the petitioner is the driver of the said
vehicle and he used to follow the instruction of the owner who
had instructed him to take away the vehicle from one place to



another place. He further submits that the petitioner is in custody since 03.01.2022 and having no criminal antecedent.

The learned A.P.P. for the State opposes the prayer for bail.

In the facts and circumstances of the case that petitioner is in judicial custody 03.01.2022 and having clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IX-cum-Special Judge Excise, Aurangabad, in connection with Excise Case No. 31/2022.

(Dr. Anshuman, J)

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