

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14895 of 2022

Arising Out of PS. Case No.-10 Year-2022 Thana- MURAR District- Buxar

AKHILESH UPADHYAY Son of Shri Surya Kumar Upadhyay Resident of
Village - Ranka, P.s.- Sikraul, Distt.- Buxar at Present residing at Tara
Bhawan, Mohalla- Sadhanapuri, P.s.- Gardanbagh, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Pandey

For the Opposite Party/s : Mr. Bharat Lal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 308, 304/120B and some
other minor Sections of the IPC and u/s 30(a), 37(b) of the Bihar
Prohibition and Excise Act.

It is a case of consuming spurious liquor.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner. Petitioner is in custody
since 30.01.2022. Investigation is complete.

Learned counsel appearing for the State opposes the
prayer for bail. He submits that the petitioner has got identical



criminal antecedent.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner, shall be released on bail by the trial court to its own satisfaction on the condition that the petitioner will co-operate in the trial.

(Prabhat Kumar Singh, J)

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