

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23858 of 2021**

Arising Out of PS. Case No.-14 Year-2020 Thana- SAKRA District- Muzaffarpur

UPENDRA RAY S/o Late Mohit Ray R/o village- Keshopur Mushahri Tola  
Ward No. 4, P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Adv.  
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      04-02-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sakra P.S. Case No. 14 of 2020 registered under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case merely on suspicion. Further submission is that on perusal of seizure list, it would be evident that the alleged recovery has been made from the open hut which does not belong to the petitioner. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is a man of clean antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the Special Judge, Excise, Muzaffarpur in connection with Sakra P.S. Case No. 14 of 2020, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

**(Arvind Srivastava, J)**

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