

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16399 of 2022

Arising Out of PS. Case No.-350 Year-2021 Thana- SIDHWALIYA District- Gopalganj

UPENDRA RAM Son of Jagan Ram Resident of village - Shahpur, P.S.-
Sidhwaliya, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr. J.N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-06-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within one
month.

Heard learned counsel for the petitioner and the learned
APP for the State.

This is an application for regular bail on behalf of the
petitioner for the offences alleged under sections 272, 273 414,
120B/34 of the Indian Penal Code and section 30A of Bihar
Prohibition and Excise Amendment Act, 2018.

Learned counsel for the petitioner has submitted that the
petitioner was not arrested at the spot. The alleged illicit liquor was
not recovered from his possession rather co-accused Bikesh Sah and
Nitesh Sah who were arrested at the spot and named the petitioner.
He has submitted that though the petitioner has criminal antecedents



of Sidhwaliya P.S. Case no. 41 of 2021 but it is not of similar offence rather it is in respect of some altercation took place between two *Pattidars* and the petitioner is in custody since 10.02.2022.

Considering the facts and circumstances, let the petitioner above named be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II-cum-Special Excise Court No. I, Gopalganj in connection with Sidhwaliya P.S. Case no. 350 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

s.hassan/-

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