

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23538 of 2022**

Arising Out of PS. Case No.-402 Year-2021 Thana- WARISLIGANJ District- Nawada

Upendra Saw @ Upendra Sah, S/O Miron Saw Resident Of Village-
Rasanpur, P.S.- Warisaliganj, District- Nawada.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 28-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a), 41 of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 80 litre of liquor from the place of occurrence.

The learned counsel for the petitioner submits that
from bare perusal of the F.I.R., it would manifest that no
accused persons were arrested rather it is alleged that all
escaped. It is next submitted that since the petitioner was not
arrested from the spot, as such, nothing was recovered from his
conscious possession. It is next submitted that the name of the



petitioner was disclosed by the villagers, who were on an inimical term with him.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Warisaliganj P. S. Case No.402 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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