

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49101 of 2021

Arising Out of PS. Case No.-467 Year-2019 Thana- BRAHMPUR District- Buxar

JHUNNA UPADHYAY S/O LATE NATHUNI UPADHYAY R/o village-
Ariakon @ Ariyawan, P.S.- Krishna Brahman (Brahampur), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nil Kamal, Adv.

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 774.54 litres of liquor was recovered from the Scorpio vehicle and the petitioner was identified by the *chaukidar* amongst the three accused persons who had managed to flee away.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He is in custody since 4.2.2021 and investigation in the case has concluded.



Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having been arrested at the spot and having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Brahampur P.S. Case no. 467 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise, Buxar, District- Buxar.

(Partha Sarthy, J)

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