

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53588 of 2022

Arising Out of PS. Case No.-103 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Upendra Rajwanshi S/o Late Ramchandra Rajwanshi R/o Village Bhour, P.S.-
Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a) and 56(2)(ii) of
the Bihar Prohibition and Excise Act.

44 litres of country made liquor has been recovered
from a motorcycle.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. The said motorcycle does not belong to the petitioner.
It is also submitted that there is no recovery from the conscious
possession of the petitioner.



Petitioner is agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-IInd, Nawada in connection with Excise P.S. Case No.103 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services



Committee, Patna.

(Anjani Kumar Sharan, J)

Sanjay/-

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