

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68523 of 2022

Arising Out of PS. Case No.-1065 Year-2019 Thana- FORBESGANJ District- Araria

Upendra Goswami @ Upendra Son of Suresh Goswami R/v- Goswami tola
Matiari, Ward No. 7, P.S.- Forbesganj, Dist- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Shivesh Kumar Singh, Advocate
For the Opposite Party : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual Court Proceedings.

The petitioner apprehends his arrest in a case registered
for the offences punishable under section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

It is submitted by learned counsel for the petitioner that
no incriminating article has been recovered from the conscious
physical possession of the petitioner rather 18 liters of Nepali
liquor is said to have been recovered from semi-constructed
house of the petitioner and the petitioner managed to hed away
after seeing the police party. The said house does not belong to
the Petitioner. The allegation levelled against the petitioner is
not specific rather general and omnibus in nature. Petitioner has
no criminal antecedent as mentioned in para-3 of this

application.

Petitioner has agreed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand) in the account of Patna High Court Legal Services Committee, Patna bearing Account No. 1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, 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 Court below where the case is pending/successor Court in connection with Forbesganj circle excise P.S. Case No. 1065 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that

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

(2) 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 account of Patna High Court Legal
Services Committee.

(Anjani Kumar Sharan, J)

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