

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19530 of 2023**

Arising Out of PS. Case No.-398 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

ATUL UPADHYAY Son of Dayashankar Upadhyay Resident of village -
Mainpura, P.S. - Ara Mufasil (Dhobaha out post), District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner seeks regular bail in connection with
Ara Muffasil P.S. Case No. 398/2022, registered for the offence
punishable 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

Learned counsel for the petitioner submits that the
petitioner is innocent has falsely been implicated in this case.
Petitioner has no criminal antecedent. Nothing incriminating
material has been recovered from the conscious possession of
the petitioner. Petitioner is in custody since 29.12.2022.

Learned APP has vehemently opposed the prayer for
bail.

Considering the nature of allegation levelled against



the petitioner, his period of custody, this application is allowed.

Let the petitioner, above named, be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no.-1, Bhojpur, Ara in connection with Ara Muffasil Police Station Case No. 398/2022.

(Sandeep Kumar, J)

Ranjeet/-

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