

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42354 of 2023

Arising Out of PS. Case No.-218 Year-2023 Thana- MADANPUR District- Aurangabad

Upendra Singh @ Upendra Kumar Singh, Son Of Late Shatrughan Singh
Resident Of Village- Anjan, Ps- Madanpur, Distt- Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-07-2023 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), 34, 36 of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner has antecedent of seven cases and the allegation is of
recovery of 525 litres of liquor from a Scorpio vehicle.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that he came to be implicated based on secret information,
which is the easiest way to implicate someone. It is next
submitted that police falsely implicated based on his antecedents



in order to save the real culprits, when admittedly, petitioner is not the owner of the seized vehicle.

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. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-01, Aurangabad in connection with Madanpur P. S. Case No.218 of 2023, 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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