

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71268 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- PAROO District- Muzaffarpur

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Upendra Rai @ Upendra Kumar @ Upendra Kumar Yadav Son Of
Ramchandra Rai @ Chanar Rai R/O Village- Matihani, P.S.- Paroo, District-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 30(a) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 225 liters
country made foreign liquor from the wheat field which belongs
to the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has falsely been implicated in this present case due
to dirty village politics. It is further submitted that the name of
the petitioner came into light only on the basis of ownership of



the said field from where the recovery has been made rather he has no concern with the alleged recovery of illicit liquor and nothing incriminating article has been recovered from his conscious possession. The petitioner is languishing in judicial custody since 18.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Proo P.S. Case No. 13 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) Court No.II, Muzaffarpur.

(Sunil Kumar Panwar, J)

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