

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5846 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- Dehri Mufassil District- Rohtas

Upadhaya Singh @ Upadheya Singh @ Upadhaya Singh S/O Late Dukhi
Mahto Village Dahiyar , Ps Sasaram (M) , Dist. Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of eight cases and the allegation is
of recovery of 30 litres of liquor from a bag kept behind the
back of Saiphan canal.
4. 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 also submitted
that in mechanical manner the petitioner came to be implicated
at the instance of Chaukidar because of his antecedent. It is



further submitted that once a person gets implicated in one case, then in mechanical manner the police starts implicating.

5. Learned A.P.P. opposes the bail application.

6. 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. 40,000/- (Rupees Forty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Dehri (M) P. S. Case No.179 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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