

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19367 of 2024

Arising Out of PS. Case No.-488 Year-2023 Thana- DUMRAO District- Buxar

Narayan Upadhyay @ Narayan Ji Upadhyay S/o- Jitendra Upadhyay Village-
Ekauni Ps- Dumraon Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh, Adv

For the Opposite Party/s : Mr. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and

learned counsel for the Additional Public Prosecutor for the

state.

2. The petitioner apprehends his arrest in
connection with Dumraon P.S Case No. 488 of 2023
instituted under Section 30(a), of the Bihar Prohibition &
Excise Amendment Act.

3. As per the prosecution case, total 242.79 litres
of illicit foreign liquor was recovered from a Maruti car.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in
this case. The petitioner was neither the owner nor the



driver of the said vehicle. The petitioner has no concern with the said liquor. Nothing incriminating article has been recovered from conscious possession of the petitioner. The petitioner has got four criminal antecedents. No case is made out against the petitioner.

5. Learned APP for the State Opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of the parties, in the event of his arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs, 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Buxar/ concerned court in connection with Dumraon P.S. Case No. 488 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Chandra Prakash Singh, J)

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