

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29618 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- FATEHPUR District- Gaya

Upendra Prasad, Male, aged about 53 years, Son of Late Kameshwar Prasad
Resident of Village- Kaiya, P.S- Muffasil, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Senior Advocate
		Mr. Arvind Prasad Singh, Advocate
For the Opposite Party/s	:	Mr. Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-04-2024 Heard learned senior counsel appearing on
behalf of the parties.

2. The petitioner seeks bail in connection with
Fatehpur P.S. Case No.55 of 2024 registered for the offence
under Sections 409/34 of the Indian Penal Code and Section 37
of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to have in
possession of total 20 Kg. of Arwa rice and it is further alleged
that co-accused persons, namely, Manish Kumar was in
intoxication, who is driver of the alleged vehicle.

4. Learned senior counsel appearing on behalf
of the petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that this petitioner



is Head Master of Middle School, Dharhara Kala, where, the alleged recovery of 20 K.G. of Arwa rice has been made from a car and the petitioner has no concern with the alleged recovery of Arwa rice as well as vehicle in question. It is further submitted that petitioner is in custody since 28.01.2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and as petitioner is Head Master of Middle School, Dharhara Kala and as quantity of alleged recovery of Arwa rice is 20 Kg., let the petitioner, above named, is directed to be released on bail in connection with Fatehpur P.S. Case No.55 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-cum-Exclusive Special Judge Excise – IV, Gaya.

(Ramesh Chand Malviya, J)

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