

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19714 of 2025

Arising Out of PS. Case No.-27 Year-2025 Thana- BUXAR RAIL P.S. District- Bhojpur

Upendar Kumar Dubey Son of Late Parshu Ram Dubey Resident of Village-
Gaudarh, P.S.- Sahpur, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Buxar
G.R.P. P.S. Case No. 27 of 2025, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 81 liters
liquor was recovered from food plaza and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the alleged recovery has been made from kitchen of food plaza which is accessible by several staffs of food plaza. It is further submitted that the petitioner is also a staff of the same and not owner of the food plaza. The petitioner is in custody since 14.02.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buxar G.R.P. P.S. Case No. 27 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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