

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28345 of 2025

Arising Out of PS. Case No.-120 Year-2024 Thana- Gurupa District- Gaya

Upendra Yadav @ Upendra Kumar S/o Lalu Yadav R/o Village- Bagai, P.S.-
Gurpa, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate.
For the State : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Gurpa P.S. Case No120 of 2024 dated 02.12.2024, registered for the offence punishable under Section 30(a) of Bihar Prohibition & Exciser (Amendment) Act, 2022.

3. As per allegation, 1600 litres of country made liquor has been recovered from a white coloured pick-up bolero from Rangaini jungle.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is neither owner nor driver of the vehicle in question. He also submits that the



petitioner is no way involved in the alleged offence and he has been implicated in this case only on suspicion. He also submits that similarly situated co-accused has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 16.04.2025 passed in Cr. Misc. 19171 of 2025.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in four other case in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned court below, in connection with Gurpa P.S. Case No120 of 2024, subject to the conditions as laid down



under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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