

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23596 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Upendra Kumar @ Upendra Paswan, S/o Late Maheshi Paswan R/o Village-
Patluka, P.S.- Dhangai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

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

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise Sherghati P.S. Case No. 59 of 2025 dated 21.02.2025 registered for the offences punishable u/s 30(a), 32 (3) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, total 60.810 litres of illicit foreign liquor was recovered from an auto rickshaw at Jai Gir Turn, GT Road, Barachatti. The petitioner is the driver of the alleged auto rickshaw.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The alleged recovery was made from an auto rickshaw. The petitioner is the driver of the auto rickshaw. Petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 22.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned/ Exclusive Special Excise Court No. 3, Gaya in connection with Excise Sherghati P.S. Case No. 59 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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