

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3065 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- DERNI BAZAR District- Saran

Upendra Singh @ Upendra Kumar Singh Son of Late Rampravesh Singh
Resident of Village - Basant, P.S. - Awatar Nagar, District - Saran at Chapra
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

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

ORAL ORDER

2 27-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with DERNI Bazar (Derni) PS Case No. 218 of 2024 instituted for the offences under Sections 30(a) and 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 45 litres of country made liquor was recovered from bushes.

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. It is submitted that recovery is made from the bushes near the orchard of Dilip



Upadhyay which is an open place and accessible to one and all. The petitioner is in custody since 17.10.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Derni Bazar (Derni) PS Case No. 218 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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