

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90121 of 2024

Arising Out of PS. Case No.-983 Year-2024 Thana- Excise P.S. District- Aurangabad

Upendra Kumar Choudhary @ Goda @ Upendra Choudhary Son of Sanjay Choudhary Resident of Village - Shivganj, P.S. - Madanpur, District - Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Sections 30(a), 32(3), 41(1) and 41(2) of Bihar Excise Act.

3. As per prosecution case, 5 liters spirit has been recovered from the motorcycle bearing Reg. No. BR02-BE-1819.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case merely on the confessional statement of co-accused Amrit Kumar. Nothing has been recovered from the conscious possession of the petitioner.



Petitioner is neither the owner nor the driver of the seized motorcycle. Petitioner has got one criminal antecedent of similar nature in which, he is on bail.

5. Learned A.P.P. for the State opposed the prayer for bail.

6. Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise-II, Aurangabad, in connection with Aurangabad Excise P.S. Case No. 983 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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