

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1543 of 2017

Arising Out of PS.Case No. -96 Year- 2016 Thana -GOPALPUR District- GOPALGANJ

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Rahul Kumar Gupta, s/o Achhelal Prasad, r/v Sisai, P.S. Barauli, District-
Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Sri Shantanu Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 17-01-2017 Heard learned counsel for the petitioner as well as

learned A.P.P. for the State.

The petitioner seeks bail in connection with Gopalpur
P.S. Case No. 96/2016, registered for the offences punishable
under Sections 272 and 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegedly, the petitioner and co-accused Mahadev
Baitha were apprehended when they were trying to flee away with
motorcycle having a bag and after search, from that bag 107
bottles of illicit country made liquor, each containing 200ml, total
21 litres 400ml, were recovered. Both admitted that they were
bringing the same to sell in Bihar. The petitioner is in custody
since 30.11.2016.

In the facts and circumstances, stated above, and



considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XI, Gopalganj in connection with Gopalpur P.S. Case No. 96/2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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