

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6807 of 2017

Arising Out of PS.Case No. -45 Year- 2016 Thana -BATHNAHA District- SITAMARHI

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Sanjay Kumar Gupta, son of late Swaminath Gupta, resident of Mohalla-
Court Bazar, Sitamarhi, P.S. & District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 18-03-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Bathnaha
P.S. Case No.45 of 2016 instituted for the offence under
Section(s) 420, 467, 472, 473, 120-B Indian Penal Code.

As per written report, M/s Saibya Liquors Pvt. Ltd.
had manufactured 10327 cases of Officers Choice Blue Whisky
of M/s Allied Blenders and Distillers Pvt. Ltd. for which M/S
Saibya Liquors Pvt. Ltd. had used the FSSAI number of its
earlier lessee, namely, M/s United Spirits Limited, knowingly
with an intent to commit fraud and causing loss to State revenue
even though agreement with M/s United Spirit Ltd. was revoked
earlier.

Learned counsel for the petitioner has pointed out
Annexure-12, which is dated 03.07.2015 from which it appears



that the department itself had given permission to the petitioner for relabeling of his product.

From the written report, it appears that case has been registered on 04.04.2016, whereas, the department itself has recommended for relabeling on 18.03.2015. It is mentioned in Annexure-12 itself that no revenue loss to the State exchequer was caused as the petitioner did not sell any liquor during the aforesaid period. From the written report also, it does not appear that any revenue loss has been caused to the State exchequer.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Bathnaha P.S. Case No.45 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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