

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24925 of 2017

Arising Out of PS.Case No. -50 Year- 2017 Thana -PHULWARIA District- GOPALGANJ

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Pawan Kumar Gupta Son of Ashok Gupta, Resident of Village- Khajurha,
P.S.- Bhore, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party : Sri Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 01-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 11.03.2017 in connection with Phulwaria P.S. Case No. 50 of 2017 for the alleged offences under Sections 272, 273, 420/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 816 pieces of 180 ml. pouches of various quantity of wine from a vehicle. The petitioner submits that he is the driver of the vehicle from which the recovery was made but, he had no knowledge of the goods which are said to belong to Mayank Jaiswal whereas the owner of the vehicle is Govind Kumar Shukla. It is further submitted that the petitioner has been granted bail by the learned Court below in Bhorey P.S. Case No. 50 of 2017 by order dated 08.05.2017, being the only other case in which he has been made accused.

4. Considering however, that the recovery of the goods is alleged to have been made from the vehicle of which the



petitioner is the driver and also considering that the petitioner was accused in one other case being Bhorey P.S. Case No. 50 of 2017 for the offences under Sections 272, 273, 308, 420 of the Indian Penal Code and Sections 30(a),35, 37(b) of the Bihar Prohibition and Excise Act, 2016, this Court is not inclined to grant privilege of bail to the petitioner at this stage. The bail petition stands dismissed.

(Vikash Jain, J)

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