

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12431 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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ANIL KUMAR GUPTA @ ANIL KUMAR S/o Lal Babu Sah, Resident of
Village-Govindpur Fatuha, Police Station-Fatuha, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 22-03-2017 Heard both sides.

The petitioner seeks bail in C.B. Case No. 70/2016,
registered for the offences punishable under Sections 30(A), 47(A)
of the Bihar Excise Amendment Act, 2016.

The Excise officials raided godown of the petitioner
and from there about 10,000 litres of different brands of Indian
made foreign liquor was recovered.

Learned counsel for the petitioner submits that the
petitioner had taken the godown on rent from his brother-in-law
Nandu Kumar and he let out the godown to one Kavi Jee @
Munna on rent of Rs. 50,000/- per month. It is submitted that the
petitioner is not at all responsible for the recovery of the aforesaid



liquor, but from perusal of the records, it appears that it was the petitioner who was in possession of the godown and he confessed his guilt before the police and produced no chit of paper showing letting out of the godown to anybody else.

Considering the facts aforesaid and the fact that 10,000 litres of Indian made foreign liquor was recovered from the possession of the petitioner, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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