

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48459 of 2018

Arising Out of PS.Case No. -400 Year- 2018 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Sonu Kumar Gupta S/o Birendra Gupta, R/o Vill.- Baluhi Bazar, P.S.-
Manjhagarh, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ghanshyam Choudhary

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 420 and 120B of the Indian
Penal Code and Sections 30(a) and 38(1) of the Bihar Prohibition
and Excise Act, 2016.

4781.88 litres of foreign liquor is said to have been
recovered from the truck and breeze car parked at the line hotel
and the driver of the said car, two other accused persons and the
petitioner were apprehended. Petitioner is said to have arrived at
the said hotel in search of the drivers of the aforesaid vehicles for
carrying the said liquor laden vehicles to its purchaser.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the vehicles in question or with any activity of dealing liquor. He has been falsely implicated in the case by the police merely on suspicion while he had arrived at the aforesaid line hotel for dining on bike. There is violation of Section 100 Cr.P.C. He has no criminal antecedent. He has been languishing in custody since 24.06.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II cum Special Judge, Excise, Hajipur at Vaishali in connection with Sadar Hajipur P.S. Case No. 400 of 2018.

(Prakash Chandra Jaiswal, J)

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