

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7749 of 2019

Arising Out of PS. Case No.-691 Year-2018 Thana- MOHANIYA District- Bhabhua (Kaimur)

PAWAN GUPTA @ PAWAN KUMAR GUPTA, aged about 25 years, Male,
son of Late Ramesh Sah resident of village-Ameth, P.S-Mohania, District-
Kaimur at Bhabhua ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Adv.
For the Opposite Party : Mr. Ram Bachan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-02-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
20.12.2018 in connection with Mohania P.S. Case No. 691 of
2018 for the offence alleged under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that while on patrolling, he got a direction from the
Station House Officer of Mohania Police Station to go to village
Ameth. There he saw a Chevrolet vehicle, bearing registration
no. WB-02W-9180, which was locked, standing in front of the
house of Jawahar Sah. On enquiry, it was informed that the said
vehicle is of Pawan Gupta and on search of the vehicle 18
cartons, total 850 pieces containing 180 ml each Indian made
foreign liquor were recovered. Accordingly, a seizure list was



prepared.

It has been submitted by the learned counsel for the petitioner that the petitioner is innocent, bears no criminal antecedent and has falsely been implicated in the instant case. Nothing has been recovered from the conscious possession of the petitioner.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail, **on completion of three months in custody**, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Mohania P.S. Case No. 691 of 2018 to the satisfaction of the learned In-Charge Special Judge (Excise), Kaimur at Bhabhua.

(Nilu Agrawal, J)

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