

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.25818 of 2019**

Arising Out of PS. Case No.-17 Year-2019 Thana- KALYANPUR District- Samastipur

UTTAM GUPTA @ UTTAM KUMAR S/o Arvind Gupta R/o village-  
Bhagwanpur, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Singh  
For the Opposite Party/s : Mr.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA  
ORAL ORDER**

2      22-04-2019                      Heard both sides.

The petitioner apprehends his arrest in Kalyanpur P.S.  
case No. 17 of 2019 registered under Section 30(a) of the Bihar  
Prohibition & Excise Act.

A raid was conducted in a field situated in  
Purusottampur Pakri Chour and one person was found fleeing  
away. The Chowkidar is said to have identified the petitioner.  
From the open field 189 liters of liquor was recovered.

The learned counsel for the petitioner submits that  
recovery was made from an open field and on account of enmity  
the Chowkidar disclosed the name of petitioner.

Considering the facts aforesaid and nature of  
allegation made against the petitioner and the fact that recovery  
was made from an open field situated in Prusottampur Chour



and there is nothing on record to show that petitioner had kept the liquor in the field, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur in connection with Kalyanpur P.S. case No. 17 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

BKS/-

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