

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32360 of 2019

Arising Out of PS. Case No.-522 Year-2018 Thana- BIKRAMGANJ District- Rohtas

NITISH GUPTA @ MUNNA @ NITESH KUMAR GUPTA Son of Late Ram
Naresh Sah Resident of Village - Keshodih, P.S.- Bikaramganj, District-
Rohtas

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deovind Kumar Singh

For the Opposite Party/s : Mr. Nawal Kishore Pd. (APP)

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-05-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Bikramganj P.S. Case No.
522/2018, instituted for offence under Section(s) 272, 273/34 of
the Indian Penal Code read with Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

It is alleged in the written report that on the date of
occurrence police party reached at the house of Ritesh Gupta @
Tuntun Gupta @ Ritesh Kumar Gupta. Seeing the police party
two male and two female managed to escape from the house.
The police recovered total 704.160 litres of foreign liquor from
the aforesaid house. It is further alleged that on the same day
police conducted raid in the house of Bikram Prasad and
recovered total 172.800 lites of illicit liquor from his house and



319.680 litres of foreign liquor from the bamboo bush, situated behind the house of Ravi Shankar Sah.

Learned counsel for the petitioner has submitted that there is no recovery of illicit liquor from possession of this petitioner. Seizure-list is part of F.I.R. which shows that recovery has been made from the house of co-accused Ritesh Gupta @ Tuntun. Petitioner has been made accused in this case as he is brother of aforesaid Ritesh Gupta. Seizure-list does not bear signature of petitioner.

Petitioner is in custody since 03.04.2019 having clean antecedent.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released 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 Spl. Judge, Excise, Rohtas at Sasaram, in connection with Bikramganj P.S. Case No. 522/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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