

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41172 of 2019**

Arising Out of PS. Case No.-382 Year-2019 Thana- SAHARSA District- Saharsa

ANIL KUMAR GUPTA, aged about 32 years, Gender-Male, Son of Sri Ram Lagan Gupta, Resident of Mohalla - Kaprapatti, N.H. 20, P.S.- Saharsa, District- Saharsa.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vinay Mistry, Advocate.

For the Opposite Party : Mr.Arvind Kumar Pandey (App 84)

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 05-07-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 30.04.2019 in a case for the offence registered under Section 37(c) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that the petitioner was nabbed at about 21.45 hours on 29.04.2019, at Durga Temple. Sabji Market, Saharsa, creating nuisance at the public palace. The petitioner, as per a Breath Analyzer Report, was confirmed to have consumed alcohol.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the



witnesses alleged against the petitioner. The petitioner is alleged to be found in drunken state. There is no recovery of any liquor from conscious possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Saharsa, in connection with Special (Excise) Case No. 199 of 2019, arising out of Saharsa Sadar P.S. Case No. 382 of 2019.

(Sudhir Singh, J)

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