

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69394 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- RAFIGANJ District- Aurangabad

RAJESH KUMAR GUPTA, aged about 40 years (Male), Son of Mahendar Sao @ Mahendar Prasad Gupta @ Mahendra Prasad, Resident of Village- Choudhari Gali, P.S.- Rafiganj, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Binod Kumar Pandey, Advocate.
For the Opposite Party : Mr.Amarendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 8043.84 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 03.10.2019. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 8043.84 liters wine is recovered from the house of co-accused.



The name of the petitioner has come in the present case on the basis of disclosure made by co-accused Tajuddin. There is no recovery of liquor from conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

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 A.D.J. VII-cum-Special Judge, Excise Act, Aurangabad (Bihar), in connection with Rafiganj P.S. Case No. 166 of 2019.

(Sudhir Singh, J)

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