

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69861 of 2019

Arising Out of PS. Case No.-111 Year-2019 Thana- HASPURA District- Aurangabad

RAJESH KUMAR @ RAJESH KUMAR GUPTA Son of Mahendra Prasad
Gupta Resident of Choudhary Gali Rafiganj, Ward No.11, P.S.-Rafiganj,
District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mrs. Babita Kumar, Adv. Mr. Arya Achint, Adv. Mr. Binod Kumar Pandey, Adv.
For the Opposite Party/s	:	Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

This application for regular bail arises out of Haspura P.S.
Case No.111 of 2019, disclosing the offence under Sections 30(a) of
Bihar Prohibition & Excise Act (Amendment), 2018.

Learned counsel for the petitioner has submitted that the
petitioner is in custody since 17.09.2019 and his name has surfaced
on the basis of confessional statement of co-accused Pramod Prasad
who was arrested by the police on spot. He contends that except for
the said material, there is no other material against the of petitioner of
his involvement in commission of the offence.

It transpires from the FIR that a truck carrying huge
quantity of liquor (10,127 litres of foreign liquor) was recovered by
the police and when the police stopped the vehicle, the occupants of



the vehicle except the driver and said Pramod Prasad managed to flee away. The said Pramod Prasad named the petitioner and others, who according to him were carrying business of illicit liquor in the State of Bihar.

Learned counsel for the petitioner contends that Pramod Prasad has been allowed regular bail by this Court by order dated 17.12.2019 passed in Cr. Misc. No.64850 of 2019.

Considering the submission that co-accused Pramod Prasad has been allowed regular bail on whose confessional statement the petitioner has been implicated, this application 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 learned Additional Sessions Judge, VII-cum-Special Judge (Excise), Aurangabad in Haspura P.S. Case No.111 of 2019.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Prakash Narayan /-

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