

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4578 of 2020

Arising Out of PS. Case No.-666 Year-2019 Thana- ARA NAGAR District- Bhojpur

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Suraj Kumar Gupta @ Suraj Kumr Gupta @ Suraj Kumar Son of Nand Kumar Gupta Resident of Village- Karman Tola, P.S.- Ara Nawada, Distt- Bhojpur (Mahajan Toli, P.S. Ara Nagar, District-Bhojpur).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner in the present case is seeking regular bail in connection with Ara Nagar P.S. Case No.666 of 2019, Excise Case No.04 of 2020 registered for the offence punishable under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that nothing has been recovered from the conscious possession of this petitioner.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that 97.875 liters of illicit liquor has been recovered from a house and not from the possession of the petitioner and further



submission that the petitioner has no criminal antecedent and he is in custody since 01.01.2020, let the petitioner above named be released on bail on completion of statutory period of investigation on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned IVth Additional Sessions Judge-cum-Special Judge, Excise, Bhojpur at Ara in connection with Ara Nagar P.S. Case No.666 of 2019, Excise Case No.04 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

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(Rajeev Ranjan Prasad, J)

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