

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13224 of 2020

Arising Out of PS. Case No.-433 Year-2019 Thana- BARACHATTI District- Gaya

Virendra Kumar Gupta S/o Pramod Prasad Gupta @ Pramod Kumar Gupta
Resident of Village- Sulebatta, P.S.- Barachatti and Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 05-03-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Barachatti
P.S. Case No. 433 of 2019 registered for the offence under
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

480 liters of spirit is said to have recovered from a
Tata Magic vehicle.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case and nothing has been
recovered from his conscious possession. Petitioner is neither
owner nor driver of the vehicle in question. It is further
submitted that mandatory provision of Section 100 Cr.P.C. has
not been followed with respect to search and seizure. There is
no allegation against the petitioner of tampering with the
evidence.



Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 Special Judge, Excise, Gaya in connection with Barachatti P.S. Case No. 433 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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