

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25741 of 2020

Arising Out of PS. Case No.-116 Year-2019 Thana- KHUTAUNA District- Madhubani

MONU KUMAR GUPTA, S/o Radha Mohan Gupta Resident of Village-
Majhaura, Ward No.14, Chanauraganj, P.S.-Jhanjharpur, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-10-2020 Heard Mr. Ashok Kumar Prasad, learned

counsel for the petitioner and Mr. Mr. Ram Priya Sharan

Singh, learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Khutauna Police Station Case
No. 116 of 2019 dated 17.11.2019 (G. R. No. 2197 of
2019), instituted for the offences under Sections 279,
337, 338, 272, 273 and 353 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The petitioner is said to be the owner of the
Scorpio vehicle from where 405 litres of Nepali liquor



was recovered. Four persons including the Driver of the vehicle were arrested.

The learned counsel for the petitioner submits that he was not occupying the vehicle at the time of the raid. The petitioner did not have any idea that his vehicle was being used for transporting liquor. He had given the vehicle to his Driver for plying it on commercial basis with strict instructions that liquor should not be transported in the vehicle.

The petitioner has clean antecedents.

Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge – II – cum – Special Judge, Excise Act, Madhubani in



connection with Khutauna Police Station Case No. 116 of
2019 dated 17.11.2019 (G. R. No. 2197 of 2019),
subject to the conditions as laid down under Section 438
(2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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