

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33075 of 2020

Arising Out of PS. Case No.-419 Year-2020 Thana- SITAMARHI District- Sitamarhi

Atul Gupta, Son of Ram Prakash Gupta, Resident of Village - Mirchai Patti,
Police Station and District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Rajeev Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-12-2020 In view of the submission and undertaking of the learned counsel for the petitioner, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with Sitamarhi P.S. Case No. 419 of 2020, registered under Section 414/34 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act, 2016.

The accusation is that in course of patrolling duty, one white colour four wheeler vehicle bearing registration no. DL6CQ 0767 was stopped then one person started to flee away from the



vehicle, but on chased, he was apprehended, who disclosed his name as Pusp Raj and thereafter, three persons present near the said four wheeler also apprehended, who disclosed their names as Atul Gupta (petitioner), Ram Babu Sahni, Amit Yadav and Rituraj. On search, 435 bottles in the volumn of 123.015 litres Indian made foreign liquor recovered from the said four wheeler.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case mere on suspicion, while he was moving on the road at that time. It is further submitted that petitioner has no criminal antecedent and is in custody since 08.09.2020.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sitamarhi P.S. Case No. 419 of 2020, in connection with 2nd Additional Sessions Judge-cum-Special Judge Excise, Sitamarhi. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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