

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26109 of 2021

Arising Out of PS. Case No.-25 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Jamui

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AKASH KUMAR GUPTA SON OF DINESH GUPTA R/O VILLAGE-
MATKURIA, KATRAS MORE, (WARD NO. 32), P.S.- BANK MORE,
DIST.- DHANBAD (JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Sinha

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 30 (a) of the Bihar
Prohibition & Excise Act.

As per the prosecution case, 270 liters of foreign
liquor has been recovered from a tempo in which petitioner was
sitting. The petitioner was arrested on the spot.

Learned counsel appearing for the petitioner submits
that nothing has been recovered from the conscious possession
of the petitioner. The petitioner is neither owner nor driver of
the tempo. The petitioner claims clean antecedent and he is in
custody since 29.01.2021.

Learned counsel appearing for the State opposes the



prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Additional Sessions Judge- II, Jamui in connection with Excise Complain case No. 25C2/2021 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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