

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34205 of 2021

Arising Out of PS. Case No.-351 Year-2020 Thana- DIGHA District- Patna

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ARUN KUMAR GUPTA Son of Late Dinesh Prasad Gupta Resident of
Village - Jaukati Manjhauliya, P.S.- Manjhauliya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Krishan Jha

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Spl. Case
No. 4326 of 2020 arising out of Digha P.S. Case No. 351 of
2020 registered for the offence under Sections- 279, 419, 420,
465, 467, 468, 474 & 34 of the Indian Penal Code, Sections-65,
66(B), 66(c) & 67 of I. T. Act and Section- 30(a) of the Bihar
Prohibition and Excise Act.

The prosecution case, in short, is that 500 ml. Beer is
recovered.

It has been submitted on behalf of the petitioner that



there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. It is alleged that 500 ml. Beer is recovered from the car. The petitioner is said to be owner of the said car. The petitioner had no knowledge regarding the Beer, kept in the car as the same was being run as public transport. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Special Judge, Excise, Patna in connection with Spl. Case No. 4326 of 2020 arising out of Digha P.S. Case No. 351 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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