

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30732 of 2020

Arising Out of PS. Case No.-104 Year-2020 Thana- SHIVSAGAR District- Rohtas

ASHOK GUPTA @ ASHOK PRASAD GUPTA, Son of Late Ram Ashish
Sah, Resident of Village- Mohammadpur, Police Station- Sheosagar (Baddi)
District- Rohtas ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Kant Singh, Adv.
For the Opposite Party : Mr. Uma Nath Mishra, APP

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

ORAL ORDER

2 12-02-2021 As prayed for, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 10.11.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with Sheosagar P.S. Case No. 104 of 2020, registered under Sections 272 and 273 of the Indian Penal Code and 30(a)(c) of the Bihar Prohibition and Excise Act, 2016.

On receiving secret information about preparing the liquor near Dumar Khoh beneath the banyan tree, informant, along with other police personnel, reached there and on search bottle containing two liters of country made liquor and two kilogram of mahua flower and apparatus and utensils for



preparing the liquor seized.

Submission is that it would appear from the first information report that the petitioner was not seen near the place of search and the name of the petitioner has come in the knowledge of the informant on secret information, but, source of information has not been detailed in the first information report. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Sheosagar P.S. Case No. 104 of 2020 shall 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 Additional District & Sessions Judge II-cum-Special Judge, Excise, Rohtas at Sasaram, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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