

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32216 of 2020

Arising Out of Case No.-596 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Aurangabad

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Sajan Kumar Gupta (male), aged about 32 years, Son of Late Suresh Prasad,
Resident of Village/Mohalla- New Area Kadam Gachh, Dehri-On-Son, P.S.-
Dehri, District- Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Leelawati Kumari, Advocate
For the State : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-01-2021

Heard Ms. Leelawati Kumari, learned counsel for the
petitioner and Mr. Ajit Kumar, learned Additional Public
Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioner is in custody in connection with Excise
Case No. 596 of 2020 dated 17.07.2020, instituted under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that from the
Indica car which he was driving, 180 litres of liquor was
recovered.

4. Learned counsel for the petitioner submitted that he
has been falsely implicated and has no connection with either the
seized liquor or the car. It was submitted that the petitioner does



not have any criminal antecedent and is in custody since 17.07.2020.

5. Learned APP submitted that from the vehicle driven by the petitioner, there is recovery of 180 litres of liquor.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, VII-cum-Special Judge (Excise), Aurangabad (Bihar) in Excise Case No. 596 of 2020, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any illegal/criminal activity, act in violation of any law/statutory provisions, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent



on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. However, this order is subject to the main application supported by affidavit being *e* filed in this Court by learned counsel for the petitioner latest by day after tomorrow.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

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