

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51456 of 2021

Arising Out of PS. Case No.-541 Year-2021 Thana- KHAGARIA District- Khagaria

SUMIT KUMAR GUPTA Son of Late Kamal Kishor Prasad @ Late Kamal Kishor Gupta @ Kamal Kishor Gupta Resident of Village- Lohapatti, Ward No.10, P.S.- Khagaria, District- Khagaria. Presently resident of Mohalla- as tenant in the house of Kajal Kumari, Thana Road, Sidhi Ghat, P.S.- Khagaria, District- Khagaria.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate.
For the State : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 17-12-2021 The instant application is taken up out of turn for hearing because of the medical treatment of wife of the applicant in delivering the child.

The applicant/accused by this application is seeking his release on bail in Crime No.541 of 2021 registered with Police Station-Khagaria for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Heard both sides.

Perused the materials placed before me.

It is reported that the applicant is a first time offender in the crime in question and he is behind the bars from 12.07.2021. It is further reported that investigation of the crime



in question is already over and the charge-sheet has been filed.

Learned A.P.P. submitted that the crime in question is serious.

The applicant was found to be in possession of 30.750 liters of Scotch wine in his residential premises. The investigation of the crime in question is already over. Hence, no further pretrial detention of the applicant is required. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.541 of 2021 registered with Police Station-Khagaria for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in



expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

P.S./-

U		T	
---	--	---	--

