

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40269 of 2020

Arising Out of PS. Case No.-150 Year-2020 Thana- FATEHPUR District- Gaya

SANTOSH KUMAR GUPTA S/o Asharfi Gupta R/o village- Gopi More
Narayanpur, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-02-2021 Heard Mr. Vipin Kumar, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Fatehpur P.S. Case No. 150 of 2020 registered for the offences
punishable under Sections 30(a), 32(2) of Bihar Prohibition and
Excise Act, 2016, Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation as per the First Information Report is
that a pick up van was intercepted by the Police in which the
petitioner was sitting and a total quantity of 204 litres of illicit
foreign liquor was recovered from the same as well as country
made loaded pistol was recovered from possession of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and he is neither owner nor driver of the said pick up van. Learned counsel further submits that the petitioner was sitting as passenger in the said pick up van and has falsely been implicated in this case. Learned counsel also submits that the petitioner has got no criminal antecedent and he is in custody since 11.07.2020. Learned counsel next submits that the charge sheet has already been submitted in the matter.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioner is in custody since 11.07.2020 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya, in connection with Fatehpur P.S. Case No. 150 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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