

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4036 of 2021

Arising Out of PS. Case No.-143 Year-2020 Thana- CHANPATIA District- West Champaran

KAMLESH KUMAR GUPTA @ KAMLESH PRASAD GUPTA @
KAMLESH GUPTA @ KAMLESH PRASAD, S/O LATE GOPAL PRASAD
R/O VILLAGE- LAURIYA, WARD NO. 9, P.S.- LAURIYA, DISTRICT-
WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. A.L. Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-03-2021 Heard Mr. Bimlesh Kumar Pandey, learned Counsel
for the petitioner and Mr. A. L. Pandit, learned Additional Public
Prosecutor for the State, through Video Conferencing.

This application, for grant of regular bail, arises out
of Chanpatiya Police Station Case No. 143 of 2020, disclosing
offences under Sections 30(a) and 56 of the Bihar Prohibition
and Excise Act, 2016.

The allegation, as per the First Information Report
is that police intercepted one car in which petitioner along with
others found sitting and recovered a total quantity of 77.40 litres
of illicit liquor from the same.

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



and he has falsely been implicated in this case inasmuch as the car was being driven by co-accused, Deepak Patel. Learned counsel next submits that petitioner is not owner of the car and he has got no criminal antecedent also. Learned counsel further submits that petitioner is in custody since 09.04.2020. Learned counsel further submits that co-accused, Deepak Patel, has been granted bail by a Coordinate Bench of this Court in Cr. Misc. No.3013 of 2021.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that petitioner is in custody since 09.04.2020 having no criminal antecedent and co-accused, Deepak Patel, has been granted bail by a Coordinate Bench of this Court, I am inclined to grant regular bail to the petitioner with the condition that the petitioner shall not commit an offence similar to the offence in which he is accused.

Accordingly, let the petitioner, Kamlesh Kumar Gupta@ Kamlesh Prasad Gupta @ Kamlesh Gupta @ Kamlesh Prasad, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise), Bettiah, West Champaran, in connection with Chanpatiya Police



Station Case No. 143 of 2020, subject to the condition made hereinabove.

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

(Anil Kumar Sinha, J)

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