

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5962 of 2022

Arising Out of PS. Case No.-445 Year-2021 Thana- PHULWARIYA District- Gopalganj

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PRADEEP KUMAR GUPTA SON OF RAM LAL SAH R/O VILLAGE-
BISHUNPURA, P.S.- CHAPRA MUFASSIL, DISTRICT- CHAPRA
(SARAN)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Phulwariya P.S. Case No. 445 of 2021 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.11.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 120 litre of liquor from a
WagonR.

Learned counsel for the petitioner submits that



petitioner is neither the owner nor the driver of the car and came to be implicated to save the real culprit as he was a passerby. Learned counsel further submits that from perusal of the FIR, it would manifest that there is a clear over writing in the FIR with regard to the date of occurrence.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Gopalganj in connection with Phulwariya P.S. Case No. 445 of 2021.

(Satyavrat Verma, J)

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