

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38130 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- AMBA District- Aurangabad

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DABLU PRASAD GUPTA Son of Late Bhola Sao Resident of Village -
Khendra, P.S. Chhatarpur, Distt. - Palamu (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 40983 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- AMBA District- Aurangabad

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BABLU KUMAR GUPTA Son of Late Bhola Sao Resident of Village -
Khendra, P.S. - Chhatarpur, Distt. - Palamu (Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 38130 of 2021)

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 40983 of 2021)

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

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

5 15-04-2022 Criminal Misc. No.38130 of 2021 has been filed by

Dablu Prasad Gupta whereas Criminal Misc. No.40983 of 2021

has been filed by Bablu Kumar Gupta. They both are accused in

Crime No.33 of 2021 registered with Police Station-Amba, for

the offence punishable under Section 30(a) of the Bihar

Prohibition and Excise Act, 2018.



Heard both sides and perused the materials placed before me.

A pickup van driven by applicant Dablu Prasad Gupta and owned by applicant Bablu Kumar Gupta came to be inspected by the police on 22.03.2021 and country made liquor as well as Indian Made Foreign Liquor totaling more than 1900 liters quantity came to be seized from it and that is how, both the applicants came to be arrested.

The investigation of the subject crime is over. Hence, further pretrial detention of the applicants is not warranted and, therefore, the following orders:

(i). The applications are allowed.

(ii). The applicants/accused in Crime No.33 of 2021 registered with Police Station-Amba, 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.20000/-(Rupees Twenty Thousand) and on furnishing surety of the like amount by each of them to the satisfaction of the trial court with the following conditions:

(I). The applicants should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against them so as to



dissuade them from disclosing such facts to the Court or to any police officer.

(II). The applicants should cooperate the trial in expeditious disposal of the trial against them.

(III). The applicants should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

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

The applicants 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 applicants/accused.

(A. M. Badar, J)

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