

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41325 of 2022

Arising Out of PS. Case No.-64 Year-2022 Thana- AGION (GARHANI) District- Bhojpur

BITU KUMAR GUPTA @ RAJESH KUMAR GUPTA Son of Dasharath
Gupta Resident of Village - Garahani, Police Station- Garahani, District -
Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2022 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.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

Allegation is of recovery of 6.750 litre of liquor from
the house of Bitu Kumar situated near the High School.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged



recovery is from a place which does not belong to the petitioner and came to be implicated at the instance of the Excise Authority of Patna based on his antecedent without any material to connect him with the present occurrence.

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

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Agion (Garahani) P.S. Case No. 64 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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