

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56814 of 2022

Arising Out of PS. Case No.-343 Year-2022 Thana- BAKHTIYARPUR District- Patna

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Bipin Gupt @ Bipin Kumar Gupta @ Bipin Kumar Son of Laxmi Gupta @
Narayan Saw Resident of Village- Kajibagh, Khara Kaun, Gulzarbag,
Sampatchak, P.S.- Alamganj, District- Patna, at present Laddu Akhara, Naya
Gaon, Sampatchak, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Bakhtiyarpur P.S. Case No. 343 of 2022, lodged under Sections
272, 328 and 120B of Indian Penal Code read with Sections
30(A) (D), 32 (1)(2)/33, 34 and 36 of the Bihar Prohibition and
Excise Act, 2018.

As per prosecution case, the total recovery of 180 liter
of wine has been made at the house of co-accused, which is
subject matter of the present case.

Learned counsel for the petitioner submits that

petitioner has not been apprehended from the place of occurrence but in the F.I.R., there is allegation that petitioner with other persons used to prepare the spurious wine. He also submits that petitioner is in custody since 25.08.2022.

Learned counsel for the State opposes the prayer for bail and submits that though petitioner has not been arrested but his name has figured in this case because of his involvement with accused persons.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner therefore his bail petition is hereby rejected but liberty is hereby granted that he may renew his prayer for bail after framing of charge.

(Dr. Anshuman, J)

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