

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58520 of 2022**

Arising Out of PS. Case No.-422 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Muzaffarpur

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Ravi Gupta @ Ravi Kumar Gupta, S/O Rajendra Gupta @ Sukla Gupta,  
Resident of village- Chhit Bhagwatipur, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravi Ranjan, Advocate  
For the Opposite Party/s : Mr.Parmanand Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      19-11-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks.

In the present case, the petitioner seeks bail in  
connection with Excise Case No. 422 of 2021 registered for the  
alleged offences under Sections 30(a) and 32(3) of the Bihar  
Prohibition and Excise Act.

As per prosecution case, police received secret  
information about some persons unloading consignment of  
illicit liquor. A raid was conducted at the identified place and on  
search, recovery of total 1023.480 litres of India made foreign  
liquor was made from a Tata 407 (mini truck) and the house of



co-accused Suresh Sahni. Petitioner and other co-accused persons are said to have fled away on seeing the police party.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner has no concern either with the seized illicit liquor or the vehicle in question as well as the house from which the recovery has been shown. The petitioner is in custody since 14.09.2022 and the prosecution report has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is a habitual offender and accused in a number of cases of similar nature.

Having regard to the submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from him and also considering the submission of prosecution report, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Judge Excise Court No.-2, Muzaffarpur in connection



with Excise Case No. 422 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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