

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2400 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- KALYANPUR District- Samastipur

Sanjeet Gupta @ Sanjeet S/O Jagdish Gupta @Jagdish Sah R/V- Sarisabpahi,
P.S.- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 As prayed for, learned counsel for the petitioner is granted permission to make some necessary correction in the petitioner during course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 467, 468, 471 of the IPC and section 30(a), 32(iii), 36, 41(i) of the Bihar Prohibition and Excise Act.

As per prosecution story, police received secret information about large quantity of liquor was being transported on a truck and the said truck was intercepted and the driver along with cleaner were apprehended on spot who disclosed the name name of the petitioner. From search of the said truck, total 3546 liters of India made foreign liquor was recovered.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Petitioner has no concern with the alleged recovery of illicit liquor or the truck in question from where the recovery has been made. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from conscious possession of the petitioner rather his name came into light on the disclosure made by apprehended co-accused persons. The petitioner is languishing in judicial custody since 21.10.2022.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kalyanpur P.S. Case No. 38 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court-1, Samastipur.

(Sunil Kumar Panwar, J)

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