

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15978 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- GAYA KOTWALI District- Gaya

MUNNA GUPTA @ MUNNA KUMAR GUPTA S/O LATE RAMJI GUPTA
Resident of Village- Tekari Road, Panch Mukhi Mandir P.S.- Kotwali,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 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 section 30(a) of the
Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 17.475 liters of
illicit foreign liquor from house of the petitioner and the
petitioner is alleged to have indulged in trade of illicit liquor.

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. A
statement has been made in para-3 of the petition that the
petitioner has got no criminal antecedent. Petitioner has no



concern with the alleged recovery of illicit liquor and no any incriminating article has been recovered from his conscious or constructive possession. It is further submitted that the seizure list witness are police officials, not a single independent witness which violates the provision of the Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 7.1.2023.

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 Kotwali P.S. Case No. 07 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Gaya.

(Sunil Kumar Panwar, J)

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