

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20166 of 2023

Arising Out of PS. Case No.-192 Year-2021 Thana- DEHRI TOWN District- Rohtas

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BABULAL GUPTA S/O CHURAMAN SINGH @ CHURMAN SINGH
@CHURAMAN SAW Resident of D/ 83 Bhagya Vihar, Madanpur Dabas,
P.S.- Premanagar, District- North West Delhi, Delhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Section 30 (a) of Bihar Prohibition
and Excise Act.

It is alleged that 180 ML of whisky has been
recovered from the right pocket of pant of co-accused Vikki
Kumar.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. Petitioner has been made accused only because he is
the owner of the seized truck. From perusal of the FIR and
seizure list it is clear that nothing has been recovered from the



truck and no incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery. Recovery has been made from co-accused Vikki Kumar, who was Khalasi of this Truck in question. Petitioners claim clean antecedent.

Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Learned Special Judge, Excise-I, Rohtas at Sasaram in connection with Dehri Town (Indrapuri O.P) Police Station Case No 192 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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