

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24529 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- PHULWARIYA District- Gopalganj

BHIM GUPTA S/O- Sri Binduchand Gupta Resident Of Village- Parsiya
Vansi Alias Bharthua, P.S.- Khukhund, District- Deoria, Uttar Pradesh

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Phulwariya P.S. Case No. 01 of 2023, dated 04.01.2023
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The main submissions advanced by petitioner's
counsel are that the present matter relates to the recovery of 45
litres of *indian made foreign liquor* and the same is stated to
have been recovered from a *TVS Scooty* and the said vehicle
was found in the possession of this petitioner but in fact the
petitioner is quite innocent and the allegation levelled against
him is completely false and he has been made accused due to
village politics and he has been languishing in jail since



05.01.2023 having fair and clean antecedent and the seizure list witnesses are official persons and against him the investigation has been completed and the petitioner had no concern with the seized liquor.

4. Learned APP appearing for the State opposes the prayer for bail.

5. Considering the above submissions and mainly petitioner's fair and clean antecedent and the completion of investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Phulwariya P.S. Case No. 01 of 2023.

(Shailendra Singh, J.)

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