

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32167 of 2023**

Arising Out of PS. Case No.-96 Year-2023 Thana- KATEYA District- Gopalganj

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DHIRAJ KUMAR GUPTA @ DHIRAJ SINGH, Son of Shambhu Prasad, Resident of
Village - Manglagauri, P.S.- Vishnupath (Vishnupad), District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant of
regular bail in connection with Kateya P.S. Case No. 96 of 2023
dated 02.03.2023 registered for the offences punishable u/s 414 of
the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and
Excise Act.

As per the prosecution case, 56.16 litres of illicit foreign
liquor has been recovered from the motorcycle and 483.84 litres of
illicit foreign liquor has been recovered from the DCM truck. The
petitioner and the co-accused person were apprehended from the
place of occurrence. It is alleged that the said truck belonged to the



petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the petitioner is neither the driver nor the owner of the said vehicles rather Rajesh Singh is the owner of the said DCM truck. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.03.2023.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Kateya P.S. Case No. 96 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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