

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48661 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- MUSRIGHRARI District- Samastipur

VISHWA BANDHU GUPTA S/O RAJESHWAR PRASAD GUPTA
(OWNER OF PLASTIC FACTORY, INDUSTRIAL AREA HARPUR
AILOTH), RESIDENT OF MOHALLA- ARYA SAMAJ ROAD,
MAGARDAHI, PS. TOWN, DIST. SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 30(a), 32,
36, 41 of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 4939.200 liters of liquor from a truck and a pickup
van.
4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and he came to be
implicated based on secret information which is the easiest way



to implicate someone when admittedly petitioner is a person with clean antecedent, it is further submitted that the petitioner is not the owner of the seized vehicle.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Musarigharari P.S. Case No. 44 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

U		T	
---	--	---	--

