

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48911 of 2023

Arising Out of PS. Case No.-289 Year-2023 Thana- ARWAL District- Jehanabad

Rajesh Kumar Gupta Son Of Mahendra Prasad R/O-Chaudhary Gali Rafiganj,
P.S.-RAFIGANJ, Distt.-AURANGABAD

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

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

ORAL ORDER

2 04-08-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Arwal P.S. Case No. 289 of 2023 dated 10.06.2023 registered for the offences punishable u/ss 30(a) and 41 of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, total 6922.44 litres of illicit liquor was recovered from a truck.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the driver nor the owner of the said truck.



The petitioner was apprehended from a Scorpio vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has six other criminal case and he is on bail in all the said cases as stated in para 3 of the bail petition. The petitioner is in custody since 11.06.2023.

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

7. 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, Jehanabad in connection with Arwal P.S. Case No. 289 of 2023, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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