

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69068 of 2023**

Arising Out of PS. Case No.-327 Year-2023 Thana- PHULWARIYA District- Gopalganj

BHIM KUMAR GUPTA son of Shivpujan Sah Village- Penula Khas Ps-  
Uchakagaon Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      01-11-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act.

3. The petitioner is alleged to have been apprehended with a scooty bearing Registration no. UP57AR1448 from where, 71.2 liters of illicit liquor was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the vehicle in question. No any incriminating article has been recovered from



his possession. It is further submitted that the petitioner is languishing in judicial custody since 9.9.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. The petitioner is directed to deposit a sum of **Rs 5,000/- (Five Thousand)** in the District Legal Services Authority of concerned District.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Phulwariya P.S. Case No. 327 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-cum-Spl. Judge, Excise-I, Gopalganj.

8. The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of **Rs. 5,000/- (Rs. Five thousand)** in the account of the concerned DLSA.

**(Sunil Kumar Panwar, J)**

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