

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24816 of 2024

Arising Out of PS. Case No.-381 Year-2024 Thana- Excise P.S. District- Patna

Aakash Kumar Gupta Son Of Late Raghunand Prasad Gupta Resident Of
Mohalla - Salimpur Ahra, Ward No. 37, P.S. - Gandhimaidan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Patna Excise P.S. Case
No. 381 of 2024, instituted for the offences punishable under
Sections 30(a), 32(1)(3), 36, 41(1)(2) and 56(b) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 71.460 liters
liquor was recovered from godown and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. It is further submitted that the petitioner is labour of the godown. The petitioner is in custody since 25.02.2024 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Patna Excise P.S. Case No. 381 of 2024.

(Rudra Prakash Mishra, J)

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