

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42997 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- THAWE District- Gopalganj

Rajkishore Gupta son of Vipin Sah @ Bipin Sah R/o- Mahammadpur Pakri
Ps- Mahammadpur Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Prasad, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

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

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Thawe P.S. case No. 97
of 2024 instituted for the offences under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 70 liters liquor
was recovered from the motorcycle.

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 name of the petitioner has transpired



as being owner of the motorcycle in question. The petitioner has no knowledge regarding nature of goods kept in the vehicle. The petitioner is in custody since 10.04.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Thawe P.S. case No. 97 of 2024.

(Rudra Prakash Mishra, J)

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