

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81943 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- Excise Jhanjharpur District- Madhubani

Raushan Kumar Gupta Son of Radha Mohan Gupta R/O Vil.- Majhaura, P.S.-
Jhanjharpura, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Jhanjharpur PS Case No. 179 of 2024 instituted for the offences
under Sections 30(a), 32(1), 32(3), 41(1) and 41(2) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 585
litres of Nepali liquor was recovered from Mahindra Scorpio.

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 submitted



that petitioner is the driver of the seized vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 08.10.2024 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Jhanjharpur PS Case No. 179 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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