

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6323 of 2025

Arising Out of PS. Case No.-887 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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Rohit Kumar Gupta @ Rohit Kumar Son of Shiv Prasad Gupta Mohalla
-Shrikrishna Nagar PS- Town Distt -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Girish Nandan Abhishek, Advocate

For the Opposite Party/s : Mrs.Gulnar Begum, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 06-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Aurangabad Town P.S. Case no.887 of 2024 registered
under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

3. As per the prosecution case, 108.125 liters of
foreign liquor was recovered from a Swift Car bearing
Registration No. JH10AL4740.

5. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The petitioner
is not named in the F.I.R and cause of his false implication is
only for the reason that he happens to be the registered owner of
the seized car. The petitioner has no knowledge about the said
liquor having been kept in the said car as the same had been



parked in an abandoned condition in front of the house of the petitioner. No recovery has been made from the physical or conscious possession of the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State.

7. At this stage, the petitioner has agreed to deposit an amount of Rs. 5,000/- in the account of Patna High Court Legal Services Committee, Patna bearing Account No. 1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

7. In view of the facts of the case that the petitioner has no criminal antecedent as also no recovery has been made from physical or conscious possession from him, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Aurangabad Town P.S. Case no.887 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-cum-Exclusive Special Judge, Excise



Court No. 1, Aurangabad, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that the bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee.

(Soni Shrivastava, J)

Harsh/-

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