

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11971 of 2025**

Arising Out of PS. Case No.-975 Year-2024 Thana- Excise P.S. District- Gopalganj

Rajeev Kumar Gupta @ Rajiv Kumar Gupta S/O Shashi Bhushan Gupta R/O  
Vill.- Dhodhawaliya, P.S.- Kuchaikote, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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

ORAL ORDER

2      25-02-2025      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with  
Excise PS Case No. 975 of 2024 instituted for the offences  
under Sections 30(a) and 32 of the Bihar Prohibition and  
Excise Act.

3.      The prosecution case, in short, is that total 90  
litres of country made liquor was recovered from Tractor.

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 neither the owner nor the driver of the seized vehicle. It is further submitted that the name of the petitioner has transpired on secret information. The petitioner is in custody since 29.12.2024 and has got no 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, clean antecedent of the petitioner 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 Excise PS Case No. 975 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-

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