

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21520 of 2025

Arising Out of PS. Case No.-1278 Year-2024 Thana- Excise P.S. District- Aurangabad

Sanjay Gupta @ Sanjay Prasad Gupta S/o Goptal Ram Gupta Resident of
village- Satganwa, PS- Hariharganj, District- Palamu Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Excise (Aurangabad) P.S. Case No. 1278 of 2024 lodged
on 24.12.2024, for the offence punishable under Sections 30(a)
& 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 44.625
litres of illicit liquor has been made which is the subject matter
of the present case.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the recovery of alleged illicit liquor has been made
from a tempo and name of petitioner has been figured in this
case only due to the reason that the said vehicle has been
registered in the name of petitioner. Counsel submits that the



petitioner has sold his vehicle to one Munna Alam, but transfer could not be made in his name. Counsel further submits that the petitioner has no criminal antecedent and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Special Judge Excise-II, Aurangabad, in connection with Excise (Aurangabad) P.S. Case No. 1278 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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