

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22897 of 2025

Arising Out of PS. Case No.-818 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Rajesh Gupta son of Late Subedar Sah Village - Tiyari, Ps- Jamania, Dist- Ghazipur UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-04-2025

Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Excise P.S. (Bhabhua) P.S. Case No. 818 of 2024 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 14.400 liters of country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that as per seizure list the recovery of illicit liquor was made from a road side bush which is an open place and accessible by general public. It is submitted that as per seizure list the illicit liquor was not made from the physical



possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner, who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court no. II, Kaimur at Bhabhua / concerned Court, where the case is pending in connection with Excise P.S. (Bhabhua) P.S. Case No. 818 of 2024 , subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

