

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33114 of 2025

Arising Out of PS. Case No.-75 Year-2025 Thana- BAGHA District- West Champaran

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Vinod Gupta @ Vinod Sah S/O Patathar Gupta @ Pathal Sah R/O Chhatrol,
P.S- Bagaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate

For the Opposite Party/s : Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Bagaha P.S. Case No. 75 of 2025, registered for

the offences punishable under Section 30(a) of the Bihar

Prohibition and Excise Amendment Act, 2022.

3. The allegation against the petitioner is to be engaged

in illegal trading/manufacturing of illicit liquor, where, there is

recovery of 150 litres of IMFL/country made liquor from the bag.

4. It is submitted by learned counsel for the petitioner

that on the basis of disclosure made by apprehended co-accused

persons, namely, Ramsurat Yadav and Balister Yadav, name of

petitioner transpired with present case, sufficient to suggest that



alleged recovery was not made from his physical possession. It is submitted that petitioner found involved in two more criminal cases, where one is of similar nature and in both cases, petitioner is on bail.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as alleged recovery of illicit liquor *prima facie* not appears to be made from the conscious physical possession of this petitioner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, 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, Bagaha, West Champaran/concerned Court, where the case is pending in connection with Bagaha P.S. Case No. 75 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS, with further conditions:-

(i) That the petitioner shall not involve in similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the learned Trial



Court itself for the cancellation of bail bond of
the petitioner.

(Chandra Shekhar Jha, J)

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