

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33666 of 2025

Arising Out of PS. Case No.-6 Year-2022 Thana- PHULWARISHARIF District- Patna

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Dharmendra Prasad Gupta S/o Sahdeo Prasad gupta R/o House No. 101,
Anandpuri, West Boring Canal Road, Mehndi Utsav Hall, P.S.- Gardanibagh,
Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 30-06-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Phulwari Sharif P.S. Case no.06 of 2022 registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, 401 liters of illicit
liquor was recovered from a Yamaha scooty bearing
Registration No. BR01DU6527 which was driven by one
Satrudhan Kumar.

4. 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 scooty. No recovery has been made from the physical



conscious possession of the petitioner. He further submits that co-accused Satrudhan Kumar took his motorcycle for some urgent work and the petitioner has no knowledge that he used his motorcycle in liquor supply. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

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

6. In view of the aforesaid facts of the case, 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 Phulwari Sharif P.S. Case no.06 of 2022 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 Special Judge, Excise Act, Patna, 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.

(Soni Shrivastava, J)

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