

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35152 of 2025

Arising Out of PS. Case No.-284 Year-2018 Thana- BALIYA District- Begusarai

DINESH PRASAD GUPTA S/o LATE JAWAHAR LAL GUPTA R/o vill - R
13/116, Rajnagar, P.s. - Kavi Nagar, Distt.- Gajiyabad, State- U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
05.04.2025 in connection with Ballia P.S. Case No. 284 of 2018,
F.I.R. dated 07.10.2018 registered for the offence punishable
under Sections 30(a), 32 & 41 of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, total 3123.12 litres of
illicit foreign liquor has been recovered from the three vehicles.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. Petitioner name has surfaced in this case due to
being owner of the truck in question bearing registration No.
UP17AT-7919. He further submits that he had already sold the



truck to one Deo Surendra Kumar on 04.09.2018 and the F.I.R. instituted on 07.09.2018. He has no knowledge about the present occurrence and the police has arrested and remanded in judicial custody since 05.04.2025. Petitioner has clean antecedent.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner and submits that petitioner is owner of one of the seized vehicle.

6. Considering the aforesaid fact, also clean antecedent of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Judge-II, Begusarai, in connection with Ballia P.S. Case No. 284 of 2018, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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