

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32509 of 2025

Arising Out of PS. Case No.-1079 Year-2024 Thana- MASAUDHI District- Patna

Ashok Kumar @ Ashok Kumar Gupta S/O Vishwanath Prasad Resident of
Ganga Chak, P.S.- Masaudhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Masaudhi P.S. Case No. 1079 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 605.25 litres of liquor was recovered from the under construction house of co-accused Raushan Das.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has no knowledge and concern with the alleged recovery. Learned counsel further submitted that the alleged



recovery has been made from the under construction house of the co-accused Raushan Das who has already been granted regular bail by this Court vide order dated 09.04.2025 passed in Cr. Misc. No. 18687 of 2025.. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Masaudhi P.S. Case No. 1079 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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