

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42935 of 2025

Arising Out of PS. Case No.-374 Year-2025 Thana- Excise P.S. District- Aurangabad

Abhishek Gupta S/o Deepak Gupta Resident of Deviganj road, Sattim Para,
ward No.26 Ambikapur, PS- Ambikapur(Kotowali) Dist- Chattisgarh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate
For the State : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 1.400 litres illicit foreign liquor was recovered from a vehicle of which this petitioner is registered owner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated in this case merely because he happens to be owner of the vehicle in question. Nothing has been recovered from the conscious possession of this petitioner. As a matter of fact, without the knowledge and consent of this petitioner, his vehicle



was being used for transportation of illicit liquor. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation, fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad in connection with Aurangabad Excise P.S. Case No. 374 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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