

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41781 of 2025**

Arising Out of PS. Case No.-42 Year-2025 Thana- Vasudevpur District- Munger

=====

Dhiraj Kumar Gupta S/o Deo Nandan Gupta @ Dev Nandan Gupta R/o
Village- Hardiyabad, Police Station- Muffasil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

=====

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

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Basudeopur P.S. Case No. 42 of 2025 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 369.27
litres of liquor was recovered from cartons hidden in the bushes.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of confessional statement of
co-accused person, namely, Nilesh Kumar. No incriminating



article has been recovered from the conscious possession of the petitioner rather the recovery has been made from an open place. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 25.04.2025 and 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 and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on 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 Basudeopur P.S. Case No. 42 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

