

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54686 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- SUPPI District- Sitamarhi

Gupesh Kumar Gupta @ Mantu Sah Son of Sonelal Sah Resident of Village-
Mohinin Mandal, P.S.- Suppi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

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

ORAL ORDER

2 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Suppi
P.S. Case No. 155 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 132 liters of illicit Nepali liquor from three motorcycles.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the
present case. The name of the petitioner has surfaced in this
case on the basis of the disclosures made by the local



Chowkidar and the statement made by the apprehended co-accused. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged three motorcycles. The petitioner has also no concern with the seized liquor. The petitioner is neither owner nor driver of the alleged three motorcycles and has also no concern with the alleged place of occurrence. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has nine criminal antecedents and is languishing in judicial custody since 27.05.2025 without any rhymes or reason.

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

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, on



furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with
two sureties of the like amount each to the satisfaction of
Court below/concerned Court in connection with Suppi P.S.
Case No. 155 of 2024.

(Rudra Prakash Mishra, J)

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