

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75026 of 2024

Arising Out of PS. Case No.-440 Year-2021 Thana- DIGHA District- Patna

Sachin Kumar S/o Ram Narayan Gupta, R/o Gate No. 80, Kurjipul, Sadakat
Ashram, P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Digha P.S. Case No. 440 of 2021 dated 08.08.2021 instituted for
the offence punishable under Sections 30(a) of Bihar Prohibition
and Excise Act.

3. The allegation is of recovery of total 3 litres foreign
liquor from a Scooty bearing registration no. BR01-CL-1068.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that one person, namely, Abhishek
Kumar has been arrested on the spot. Only on the basis of
disclosure made by the said Abhishek Kumar, the petitioner has
been made accused in this case. Learned counsel for the petitioner



further submits that the petitioner has been arrested on the spot. Nothing has been recovered either from the conscious possession of the petitioner or from his house. The petitioner has no concern with the seized liquor or the said scooty. Lastly, it has been submitted that petitioner has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Digha P.S. Case No. 440 of 2021, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge IInd, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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