

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85994 of 2024

Arising Out of PS. Case No.-232 Year-2024 Thana- BHOORE District- Gopalganj

Deepak Gupta S/O Murtunjay Gupta Resident of Village- Nautan, P.S-
Vijaipur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmveer, Adv.
For the State	:	Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 11-02-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in a case instituted for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act and u/s 199 (1) of M.V. Act.

3. Prosecution case relates to recovery of 225 litres illicit liquor from a car bearing Reg No. BR-29L-9201. Petitioner was alleged to had fled from the place of recovery.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the alleged recovery or with the vehicle in question. The name of



petitioner sprang up in this case on the disclosure of apprehended co-accused, namely, Anup Singh as a person who fled away from the place of seizure. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bhore P.S. Case no. 232 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge XIII-cum- Special Excise Court No. 1, Gopalganj, subject to the conditions as laid down under



section 438(2) of the Cr.P.C., with following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the learned trial Court.

(iii) if the petitioner tampers with the evidence or threatens the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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