

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87981 of 2024

Arising Out of PS. Case No.-230 Year-2023 Thana- NAUBATPUR District- Patna

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Gautam Kumar S/o- Suresh Prasad Yadav Village- Bari Pahari Ps- Agamkuan
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjana Prasad Singh

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-01-2025 Heard learned counsel appearing on behalf of

the parties.

2. The petitioner seeks bail in connection with

Naubatpur P.S. Case No. 230 of 2023 registered for the

offence under Section 30(a), 32(ii)(iii), 36, 41(i)(ii) of

the Bihar Prohibition and Excise Act.

3. The petitioner is named in the F.I.R. and is in

custody since 04.12.2024.

4. The allegation against the petitioner is to be

engaged in illegal trading/manufacturing of illicit liquor,

where, there is recovery of 2997 litres of IMFL/country

made liquor.



5. Learned counsel appearing on behalf of the petitioner submitted that accused petitioner who is a computer engineer implicated in this case only for the reason that he was registered owner of truck carryinh illicit liquor. It is submitted that said truck was sold to one Praful Kumar Gupta in terms of Annexure-P/2. It is submitted that still the registration certificate exists in name of petitioner, therefore, out of said technical reason he was implicated with present case. It is submitted that admittedly no recovery of illicit liquor was made from the physical possession of this petitioner and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid facts and circumstances as implication of this petitioner appears *prima-facie* only for the reason that registration certificate of truck still stands in his name, whereas the vehicle i.e., truck in issue



was sold long back to one Praful Kumar Gupta in terms of Annexure-P/2, coupled with fact that charge-sheet has already been submitted where petitioner is in custody since 04.12.2024, accordingly petitioner above named, is directed to be released on bail in connection with Naubatpur P.S. Case No. 230 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge Excise, Danapur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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