

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1342 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- RISIYAP District- Aurangabad

Raj Kumar Gupta S/o- Bhola Brasad Gupta Village- Mohanganj, Barun Ps-
Barun Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalbahadur Singh, Adv

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel appearing on behalf of the

parties.

2. The accused/petitioner is named in the F.I.R.

and apprehended his arrest in connection with Risiyap P.S.

Case No. 48 of 2024 registered for the offences punishable

under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be

engage in illegal trading/manufacturing of illicit liquor, by

using *mahua* flower where, there is recovery of 1800 kg dry

mahua flower.

4. Learned counsel appearing on behalf of the

petitioner submitted that petitioner is implicated with the

present case only being owner of the pick-up van carrying

1800 kg of *mahua* flower. It is submitted that nothing

transpired till now that alleged consignment was connected in



any manner with the petitioner. It is also submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as recovery of *mahua* flower *prima-facie* not appears to be made from the conscious physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-II, Aurangabad/concerned trial court where the case is pending in connection with Risiyap P.S. Case No. 48 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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