

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27445 of 2026

Arising Out of PS. Case No.-32 Year-2020 Thana- RISIYAP District- Aurangabad

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Naveen Gupta S/o- Suresh Kumar Gupta, Resident of R.O.-2067, Gali Mahavir, Sadar Bazar, Delhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Shankar Gautam, Advocate.

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

- 2 06-05-2026 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Risiup P.S. Case No.32 of 2020 instituted under Sections 30(a) of the Bihar Prohibition and Excise.
3. As per the prosecution case, there is recovery of 367.5 liters of illicit country made liquor from a Tata Safari vehicle bearing Registration No. DL9CZ1233. It is alleged that driver of the vehicle fled away from the spot.
4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case due to being the owner of the vehicle. He further submits that the seized vehicle was sold and delivered to one Dharmendra Kumar on 19.02.2020, prior to the alleged incident



and he has no concern with the said vehicle. Learned counsel submits that the petitioner was neither present on the spot nor he has any concern with the seized liquor. He further submits that no *prima facie* case is made out against the petitioner as on the date of incident, he was not the owner, as he had already sold and delivered the same to the purchaser. Learned counsel submits that no incriminating article has been recovered from the conscious possession of petitioner. He further submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner as well as his clean antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, Excise-II, Aurangabad/ concerned Court in connection with Risiup P.S. Case No.32 of 2020, subject to the conditions laid down in



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Sunil Dutta Mishra, J)

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