

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34290 of 2026

Arising Out of PS. Case No.-31 Year-2026 Thana- DURGAWATI District- Kaimur (Bhabua)

Jay Prakash Gupta @ Loli Gupta, S/o Surendra Prasad, Resident of Village-
Usari, P.S.- Mohania, Dist.- Kaimur (Bhabua)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 29-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Durgawati

P.S. Case No.31 of 2026 registered under Section 30(a) of

the Bihar Prohibition and Excise Amendment Act, 2022.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 121.280 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the alleged recovery was made from a

Swift Desire Car bearing Registration No. UP11R6021. The



petitioner has been implicated as an accused solely on the disclosure statement made by his driver Pawan Kumar, who was apprehended on the spot. It is submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the seizure list appears doubtful being not supported by independent witnesses rather than by police personnel. The petitioner has three criminal antecedent in which, he is on bail.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released 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 the learned Special Judge, Excise-II, Kaimur at Bhabua in connection with Durgawati P.S. Case No.31 of



2026, subject to the conditions as laid down under Section
438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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