

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36832 of 2026

Arising Out of PS. Case No.-91 Year-2026 Thana- PIPRAKOTHI District- East Champaran

Suresh Kumar Gupta @ Suresh Prasad Gupta, S/o Bhagwat Sah @ Bagwat Saw @ Bhajwat Prasad Singh, R/o Village - Agarwar, P.S. - Motihari, Dist. - East Champaran (Motihari). At present - Domcach Near LIC Building Koderma, P.S. - Domcach, Dist. - Koderma (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Piprakothi P.S. Case No.91 of 2026 registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 1235 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for petitioner that the petitioner has been implicated with present recovery of illicit liquor only for the reason that he is



owner of the truck, which alleged to be involved in carrying consignment of illicit liquor. It is submitted that nothing transpired during investigation, which may suggest that petitioner was under knowledge and moreover recovery was not made from conscious physical possession of this petitioner. The petitioner claimed clean antecedent.

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 conscious physical possession of this petitioner, where implication of this petitioner appears being owner of the vehicle alleged to be involved in carrying consignment of illicit liquor, accordingly, the petitioner, above-named, who is a man of clean antecedent, 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 Court of Exclusive Special Excise



Judge-I, East Champaran (Motihari)/concerned Court in connection with Piprakothi P.S. Case No.91 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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