

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40872 of 2026

Arising Out of PS. Case No.-89 Year-2026 Thana- THAWE District- Gopalganj

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Digambar Gupta Son of Ramchandra Gupta Resident of Village - Videshi
Tola, Police Station - Thawe, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
08.04.2026 in connection with Thawe P.S. Case No. 89 of 2026
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act 2022.

3. According to prosecution case the informant
Deepak Kumar, presently posted at S.I. of Thawe Police Station
gave application to the S.H.O., Thawe Police Station, Gopalganj
alleging therein inter-alia that on 06.04.2026 at about 11.30 PM.
during raid and patrolling duty, the police party reached near Jai
Gurudev Medical, Thawe Bazar, where in the light of the police
vehicle, one person carrying a black coloured bag on his back
was seen. On seeing the police vehicle, the said person started



fleeing rapidly and entered into a house and threw the bag in one corner of the house. Thereafter, he was apprehended by the police personnel on the basis of suspicion and on inquiry he disclosed name as Digambar Gupta. Subsequently, search of the coloured bag allegedly thrown by the petitioner was conducted and total 3.800 liters of country made liquor was recovered near Jai Guru Dev Medical, Thawe Bazar. Thereafter, seizure list of the recovered liquor was prepared at the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is next submitted that from perusal of the FIR it appears that altogether 3.800 liters of country made liquor was recovered near Jai Guru Dev Medical, Thawe Bazar. It is next submitted that petitioner has been made an accused in the present case merely on the basis of suspicion and except the aforesaid nothing has come up to suggest the involvement of the petitioner in the present occurrence and petitioner is in custody since 08.04.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of seven cases other than the present case but fairly submits that the petitioner is on bail in



the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, Gopalganj in connection with Thawe P.S. Case No. 89 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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