

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26850 of 2020**

Arising Out of PS. Case No.-4 Year-2020 Thana- SIMRA District- Aurangabad

GUDDU YADAV @ SUJIT KUMAR Son of Prabhu Yadav Resident of
Village- Yadav Bigha Ajaniya, Police Station- Simara, District- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Narayan Mahto
For the Opposite Party/s : Mr. Yogendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 19-10-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Simara Police Station Case No. 04 of 2020, registered for the
offences punishable under Sections 413/414 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

The allegation, as per the First Information Report, is
that the police intercepted a motorcycle on which two persons,
including the petitioner, were riding, and recovered 75 litres of
illicit country-made liquor from the bag kept on the motorcycle
and upon enquiry, the petitioner informed that the motorcycle
was a stolen motorcycle and he purchased the same from one



Sudhir Kumar and he used to carry illicit liquor from the said stolen motorcycle.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case and nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has got no criminal antecedent and he is in custody since 24.02.2020.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that along with illicit liquor, stolen motorcycle has also been recovered from the possession of the petitioner, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after six months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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