

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32239 of 2021

Arising Out of PS. Case No.-648 Year-2020 Thana- SHERGHATI District- Gaya

GUDDU KUMAR Son of Upendra Prasad @ Upendra Singh Resident of
Village- Chein, P.S.- Gurua, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-12-2021 Heard Mr. Shailesh Kumar, learned counsel for the

petitioner and Mr. Amit Kumar Rakesh, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Sherghati PS Case No. 648/2020 registered for the offence
punishable under Sections 30(a) of Bihar Prohibition & Excise
Amendment Act, 2016.

As per prosecution case, the police intercepted the
motorcycle of the petitioner and recovered 50 litres country
made illicit liquor (*Mahua*) from a bag tied with the said
motorcycle.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case with oblique



motive by the police. Learned counsel further submits that petitioner has got no criminal antecedent of similar nature and the motorcycle, from where the illicit liquor has been recovered, does not belong to the petitioner.

It is also submitted that the petitioner is in custody since 20.12.2020 and the charge-sheet in the matter has already been submitted and there is no likelihood that the petitioner will abscond or will tamper with the evidences, if released on bail.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner has got no criminal antecedent of similar nature and the motorcycle, from where the illicit liquor has been recovered, does not belong to the petitioner, petitioner is in custody since 20.12.2020 and the charge-sheet, in the matter, has already been submitted and there is no likelihood that the petitioner will abscond or will tamper with the evidences, if released on bail, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, GUDDU KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in



connection with Sherghati PS Case No. 648/2020.

(Anil Kumar Sinha, J)

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