

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8342 of 2022**

Arising Out of PS. Case No.-217 Year-2021 Thana- PATORI District- Samastipur

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GUDDU KUMAR @ GUDDU KUMAR RAY @ GUDDU RAY SON OF  
RAJ KUMAR RAY R/O VILLAGE- BAGHRA, P.S.- PATORI  
(MOHANPUR O.P.), DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Nawal Kishore Prasad, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      13-06-2022                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for  
the offence under Sections 30(a) of the Bihar Prohibition  
and Excise Act.

Recovery is of 10.620 liters of foreign liquor.

Learned counsel appearing for the petitioner  
submits that the petitioner is innocent and has falsely been  
implicated in this case merely on the basis of suspicion. He  
further submits that nothing has been recovered from the  
conscious possession of the petitioner rather the alleged  
recovery has been made from the house of one Baiju Ray. He  
further submits that the name of the petitioner has



transpired in this case on the basis of disclosure made by the Spy. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 29.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries eight more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Court below where the case is pending in connection with Patori (Mohanpur O.P.) P.S. Case No. 217 of 2021 with the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

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)**

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