

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14066 of 2022**

Arising Out of PS. Case No.-220 Year-2021 Thana- MOHAMMADPUR District- Gopalganj

Guddu Kumar @ Guddu Sah S/o Jata Sah R/o Village- Rajokhar Navada,
P.S.- Gopalganj (Town), District- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 10-05-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Mohammadpur P.S. Case No. 220 of 2021, registered for the offence punishable under Sections 272, 273, 328, 307, 304, 120B, 34 of the Indian Penal Code and sections 30(a), 37(b), 33 and 34 of the Bihar Prohibition and Excise Act, 2018.

As per the prosecution case, two persons died due to consumption of spurious liquor.

It is submitted that petitioner is not named in the FIR. Name of petitioner transpired during course of investigation on the basis of confessional statement of co-accused persons. In fact, petitioner runs a General Store in his house, where the police conducted raid on 06.11.2021 and recovered some



materials from his house which were kept for selling and also seized cash of Rs. 7,49,940/- which belongs to petitioner's mother which was received after selling of land. Petitioner is in custody since 06.11.2021. Investigation is complete.

Learned APP however vehemently opposed the prayer for bail and submitted that 40 litres of liquor has been recovered from behind the house of petitioner and petitioner has got criminal antecedent of similar nature.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner shall be released on bail by the learned trial court on its own satisfaction and on the condition that petitioner will cooperate in disposal of trial and appear before the court, as and when required.

With above observation, the petition stands disposed of.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

