

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39028 of 2021**

Arising Out of PS. Case No.-460 Year-2019 Thana- VAISHALI District- Vaishali

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GUDDU KUMAR @ GUDDU RAI S/O LALU RAI R/O VILLAGE-
AMRITPUR, P.S-VAISHALI, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, on a raid being conducted, from a hut it is stated that 119.25 litres of liquor was recovered and while two accused persons were caught two managed to escape. The two accused persons who were caught disclosed the petitioner to be one of the two accused who had managed to escape.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case because of his antecedent. Neither was he arrested at



the spot nor has he any concern with the seized liquor or the alleged place of recovery. He is in custody since 6.4.2021 and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner not having been arrested at the spot and chargesheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Vaishali P.S. Case no. 460 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge II – cum – Special Judge, Excise Act, Vaishali.

(Partha Sarthy, J)

Spd/-

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