

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15081 of 2023**

Arising Out of PS. Case No.-1 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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GUDDU SHAH S/O Narayan Shah Resident at Nathnagar, Golddar Patti,
Gokul Bhagat Lane, P.S- Nath Nagar, District- Bhagalpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Singh, Adv.
For the Opposite Party/s : Mr. Anant Kumar 1, APP.

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 08-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Excise P.S. Case No. 01 of 2022 dated 26.09.2022 registered for
the offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act.

3. The main submissions advanced by learned
counsel for the petitioner are that the instant matter relates to the
recovery of total 40.650 litres of country made foreign liquor,
out of which 18.750 litres of the said liquor is stated to have
been recovered from the possession of this petitioner at the
platform of the concerned railway station as per prosecution but
the said recovery of liquor from the possession of this petitioner
has wrongly been shown, in fact he was arrested on suspicion



and the alleged liquor was falsely planted against the petitioner and co-accused namely, Vikram Shah has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 8478/2023 and the petitioner has fair and clean antecedent and there is no independent witness of the alleged recovery of liquor and against the petitioner, the investigation has been completed and he has been languishing in jail since 26.09.2022.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's fair and clean antecedent and his custody period and completion of the investigation against him, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Excise P.S. Case No. 01 of 2022.

(Shailendra Singh, J)

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