

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81512 of 2023

Arising Out of PS. Case No.-339 Year-2023 Thana- FATEHPUR District- Gaya

Guddu Kumar Son Of Sadhu Prasad Resident Of Village- Meyari, Ps- Fateh-
pur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigendra Kumar, Adv.
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 27 liters of foreign liquor have been recovered from one motorcycle. One person was apprehended. Petitioner has been made accused because he is the owner of the said motorcycle. He further submitted that co-accused Ranjit Kumar is the neighbour of the petitioner who had taken the bike from the petitioner for some urgent work. Petitioner has no concern either with the seized



liquor or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of his enemy. Petitioner has no criminal antecedents as mentioned in para-3 of this application.

4. Learned APP for the State opposed the prayer for bail of the petitioner.

5. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in account of Mahavir Cancer Sansthan, bearing Account No.3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Fatehpur P.S. Case No. 339 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(i) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the afore-said amount in Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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