

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23106 of 2024**

Arising Out of PS. Case No.-588 Year-2023 Thana- BHORE District- Gopalganj

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Guddu Sah @ Guddu Khatik Son of Late Phulena Sah Resident of Village-  
Rakhiabari Kalyanpur, P.S.- Bhore, Dist.-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

**ORAL ORDER**

2      22-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Bhore P.S. case No. 588  
of 2023 instituted for the offences under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 88 liters liquor  
was recovered from the bike in question.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered  
from the conscious possession of the petitioner. The petitioner  
has got no concern with the alleged recovery of liquor. It is  
further submitted that the name of the petitioner has transpired



on the basis of disclosure made by local constable. The petitioner is in custody since 20.02.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 100 of Cr.P.C. Co-accused has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 31.01.2024 passed in Cr. Misc. No. 589 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the fact that co-accused has been granted anticipatory bail by a Coordinate Bench of this Court, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhore P.S. case No. 588 of 2023.

**(Rudra Prakash Mishra, J)**

Pankaj/-

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