

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87883 of 2024**

Arising Out of PS. Case No.-291 Year-2024 Thana- JOGAPATTI District- West Champaran

Guddu Kumar S/O Rajendra Sah Resident of village - Ajgari Nayaka Tola,  
P.S- Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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

ORAL ORDER

2      20-12-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2.      The petitioner seeks bail in connection with  
Yogapatti PS Case No. 291 of 2024 instituted for the  
offences under Sections 317(5), 3(5) of B.N.S and 30(a) of  
the Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total 734.  
400 litres of foreign liquor was recovered from Bolero  
Pick-up Van.

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 submitted that petitioner is neither the owner nor the driver of the seized vehicle and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 18.09.2024 and has got four criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 and the period of custody undergone by the petitioner, 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Yogapatti PS Case No. 291 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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