

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5892 of 2025

Arising Out of PS. Case No.-101 Year-2020 Thana- PHULWARIYA District- Gopalganj

Guddu Kumar @ Guddu Singh @ Gudu Singh Son of Shambhu Singh
Resident of Village - Sohagpur, P.S. - Hathua, District – Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Phulwariya P.S.
Case No. 101 of 2020, registered for the offences punishable
under Sections 30(a) and 32(2) of the Bihar Prohibition and
Excise Amendment Act, 2022.

3. The allegation against the petitioner is to be
engaged in illegal trading/manufacturing of illicit liquor,
where, there is recovery of 24 litres of IMFL from the alleged
motorcycle.



4. Learned counsel appearing on behalf of the petitioner submitted that this petitioner implicated with present case only on the basis of disclosure made by apprehended co-accused, namely, Sugriv Ram, where in furtherance of which, nothing incriminating appears till now against this petitioner. It is submitted that admittedly, recovery of illicit liquor not made from physical possession of this petitioner, who is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as recovery of illicit liquor not appears *prima facie* to be made from physical possession of this petitioner, who is a man of clean antecedent, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XIII-cum-Special Judge, Excise Court No. 1,



Gopalganj/concerned Court, where the case is pending in connection with Phulwariya P.S. Case No. 101 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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