

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20592 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- GARDANIBAG District- Patna

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Anup Kumar Singh @ Gudla @ Guddu Kumar @ Gud @ Guddu S/O Sri Vishwanath Singh @ Vishnath Singh @ Vishvnth Prasad Resident of Mohalla- Chitkohara, Chawal Bajar, Anisabad, Phulwari, Police Station- Gardanibagh, District- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-04-2025 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 Gardanibagh P.S. Case No. 14 of 2025, registered for the offences punishable under Section 30(a)/36 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 30 litres of IMFL/country made liquor from the rented house.



4. Taking note of submission as advanced by learned counsel appearing for the petitioner and upon perusal of record, it transpires that the recovery of illicit liquor as alleged was made from the rented house of the co-accused, namely, Sudhanshu Kumar @ Triveni, and on the basis of his disclosure, the petitioner appears implicated with present case and thus by *prima facie* negating recovery of illicit liquor from conscious physical possession of this petitioner. Petitioner said to be involved in two similar nature of cases, where he is on bail

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and further by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, 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 Special Judge, Excise Act, First Patna/concerned Court, where the case is pending in connection with Gardanibagh P.S. Case No. 14 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS, with



further conditions:-

“(i) That the petitioner shall not involve in similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the learned Trial Court itself for the cancellation of bail bond of the petitioner.”

(Chandra Shekhar Jha, J)

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