

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27056 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Guddu Rai S/O Late Suresh Rai R/o Vill- Madhopur Bujurg, P.S.-
Tamkuhiraj, Distt- Kushinagar, State- Uttar Pradesh

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya Raj, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 30-04-2025 Heard Ms. Priya Raj, learned counsel for the
petitioner and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with
Kuchaikote P.S. Case No. 112 of 2025, instituted for the
offences punishable under Section 317(5) of the Bharatiya
Nyaya Sanhita, 2023 read with Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 306 liters
liquor was recovered from car and the petitioner was
apprehended on spot.

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. Learned counsel for the petitioner also submits that the petitioner is driver of the vehicle in question and he has got no knowledge regarding nature of the goods loaded in the vehicle. The petitioner is in custody since 19.03.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kuchaikote P.S. Case No. 112 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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