

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28406 of 2025

Arising Out of PS. Case No.-51 Year-2025 Thana- BIDUPUR District- Vaishali

Guddu Kumar S/O Suresh Prasad R/O Sonar Toli, Patna City, P.s.-
Khanjekala, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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

ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bidupur PS Case No. 51 of 2025 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act and
Section 317(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that 960 liters
country made liquor was recovered from Tata magic vehicle

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 although the petitioner is the registered owner of the motorcycle in question, but he had already sold it prior to the incident. However, he did not lodge any formal report or FIR regarding the sale, which has led to his implication in the present case. The petitioner is in custody since 17-03-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

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, clean antecedent of the petitioner 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bidupur PS Case No. 51 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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