

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33287 of 2025

Arising Out of PS. Case No.-1112 Year-2024 Thana- BIHTA District- Patna

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Guddu kumar S/o Baijnath Ray R/o village - Mustafapur, P. S - Bihta, post -
Kateshar, District - Patna, State -Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Adv.

For the Opposite Party/s : Mr. Anil Kr. Sinha No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Bihta P.S. Case No. 1112 of 2024 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 20 liters of country made liquor.

4. It is submitted by learned counsel appearing on behalf of the petitioner that as motorcycle of petitioner was parked near to the field where he was busy with



irrigation related activities, when near to his place of parking of motorcycle, recovery of illicit liquor was made and therefore he was implicated with present case. It is submitted that in view of recovery it can be safely said that same was not made from the physical possession of this petitioner. While concluding argument it is submitted that petitioner found involved in two more criminal cases of similar nature, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, 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 Excise Judge Civil



Court, Danapur/ concerned Court, where the case is pending in connection with Bihta P.S. Case No. 1112 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS, subject to further condition:-

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

(Chandra Shekhar Jha, J)

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