

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37374 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- BARGAINIA District- Sitamarhi

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Guddu Rai @ Guddu Yadav @ Guddu Kumar S/o Mahendra Yadav @
Mahendra Rai Resident of Village- Masaha Alam, ward No.03 PS-Bairgania,
District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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

ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bairgania P.S. Case No. 141 of 2024 instituted for the offences
punishable under Section 30(a), 30(c) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 124.5
litres of liquor has been recovered from three motorcycles.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on the spot. The name of the
petitioner was disclosed by the co-accused persons who were
apprehended on the spot. No incriminating article has been



recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Petitioner is not the owner of the vehicles from which the alleged recovery has been made. The petitioner is in custody since 30.04.2025 and has eleven criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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, ***after framing of charge, if not already framed***, 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 Bairgania P.S. Case No. 141 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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