

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61881 of 2025

Arising Out of PS. Case No.-304 Year-2025 Thana- FATEHPUR District- Gaya

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Guddu Yadav @ Guddu Kumar S/O Narad Yadav @ Gur Sahay Prasad R/O
Village- Bahera, P.S- Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms.Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection with Fatehpur P.S. Case No. 304 of 2025 registered for the offences punishable under Sections 30(a) and 37 of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, there is alleged recovery of 2.5 liters from the Scorpio vehicle bearing Reg. No. BR01FZ-9297. Apprehended co-accused Guddu Kumar disclosed the name of the petitioner who is said to have fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the first information report and he has been falsely implicated



in this case. Learned counsel orally submits that petitioner is not owner of the seized vehicle. Except disclosure of apprehended co-accused, there is nothing on record to connect the present petitioner with the alleged occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner bears criminal antecedent of two cases and because of having criminal antecedent he has been falsely implicated in the present case without any basis. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No. 4, Gaya in Fatehpur P.S. Case No. 304 of 2025,



subject to the conditions as laid down under section 482(2) of
the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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