

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59477 of 2024

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

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Guddu Yadav @ Guddu Kumar, Son of Mahendra Yadav @ Mahendra Rai
Resident of Village -Masaha Alam, Ward No -03, PS- Bairgania, District-
Sitamarhi-843313

... .. 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.Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

4 17-01-2025 Heard Mr. Subodh Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Bishweshwar

Ram, learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Bairagania P.S.Case No.141 of 2024, registered for the offences

punishable under Sections 30(a) and 30(c) of Bihar Prohibition

& Excise Act, 2022.

3. As per the allegation made in the FIR, the police

seized 124.5 ltr. Nepali Soufi Liquor from the bags kept on three

motorcycles.

4. Learned counsel appearing on behalf of the



petitioner informs that the petitioner is innocent and a huge amount of liquor was recovered from the motorcycle of the co-accused persons, who were arrested and the name of the petitioner has been roped in the present case on the basis of the confessional statement of co-accused, Rambabu Yadav. Petitioner has no concern with the motorcycles, which have been seized along with the liquor.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and he has further submitted that the petitioner has given information in paragraph no.3 of the bail application that eight criminal cases, out of which, seven are of similar nature, are pending against him.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR and the previous criminal history of eight cases, out of which seven is of similar nature against the petitioner, I find that the petitioner is a habitual criminal involved in smuggling of the illicit liquor in the State of Bihar, which is prohibited. I am not inclined to enlarge the petitioner on pre-arrest bail.

7. Accordingly, the prayer for pre-arrest bail of the



petitioner stands rejected.

(Purnendu Singh, J)

Sanjay/-

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