

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55411 of 2025

Arising Out of PS. Case No.-747 Year-2025 Thana- ALAMGANJ District- Patna

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Guddu Kumar @ Guddu Mod S/O Late Sanjay Saw, Resident of mohalla-
Baghbhup Singh Lane, PS- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate.

For the Opposite Party/s : Mr. Shantanu Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 30-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Alamganj P.S. Case No.747 of 2025 instituted under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 2.34 liters illicit
foreign liquor and 11 liter Beer was recovered from the house of
co-accused Guddu Kumar @ Guddu Mod and it is alleged that
the house of petitioner was locked.

4. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case due to his past criminal
antecedents. He further submits that the alleged recovery of
illicit liquor has been made from roof top of house which is
adjacent to the house of co-accused and the same had been



planted in his house to implicate him. Learned counsel submits that no incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has seven criminal antecedents, in which, he is on bail in all the cases and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposed and submitted that the huge quantity of illicit liquor was recovered from the house of this petitioner. It is further submitted that petitioner is not entitled to get the privilege of anticipatory bail in view of Full Bench decision of this Court rendered in the case of **Ram Vinay Yadav vs. The State of Bihar** reported in **2019(2) P.L.J.R. 1089 (F.B.)**.

6. Considering the submissions of learned counsel for the parties and the fact that illicit liquor has been recovered from the house of the petitioner and the petitioner is a habitual criminal having seven criminal antecedents, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail is, hereby, rejected.

(Sunil Dutta Mishra, J)

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