

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58472 of 2025

Arising Out of PS. Case No.-380 Year-2025 Thana- NOORSARAI District- Nalanda

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Guddu Kumar S/o Vinod Tanti, R/o Village- Rasalpur, P.S.- Noorsarai,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mili Kumari, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Noorsarai P.S. Case No.380 of 2025 instituted under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
28.75 litre illicit foreign liquor from the field situated in front of
the house of petitioner which was kept by him.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. He further submits that the
petitioner has no concern either with the alleged seized liquor or
with the place from where the recovery has been made. Learned
counsel submits that the alleged recovery has been made from
an open place which is accessible to public at large. He further



submits that petitioner was not present on the spot and no incriminating article has been recovered from his conscious possession. Learned counsel submits that seizure list has not been prepared in accordance with mandatory provisions of law. He further submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon 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 Judge, Excise, Second, Biharsharif, Nalanda in connection with Noorsarai P.S. Case No.380 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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