

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59090 of 2025

Arising Out of PS. Case No.-241 Year-2025 Thana- BHAGWAN BAZAR District- Saran

Guddu Kumar @ Chaltu Rai @ Guddu Rai Son of Krishna Rai Resident of
Village- Nabiganj, P.S.- Bhagwanpur Bazar, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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

ORAL ORDER

2 21-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no. 1 of the bail
application in course of day.

3. The petitioner seeks bail in connection with
Bhagwan Bazar P.S. Case No. 241 of 2025, instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

4. The prosecution case, in short, is that 42 liters
liquor was recovered from motorcycle.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner was not arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. It is next submitted that the petitioner is not the owner of the motorcycle in question. The petitioner is in custody since 26.05.2025 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 11.08.2025 passed in Cr. Misc. No. 52677 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Bhagwan Bazar P.S.
Case No. 241 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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