

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80184 of 2024

Arising Out of PS. Case No.-390 Year-2024 Thana- Excise P.S. District- Banka

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GUDDU KUMAR S/O BRAJESH KUMAR YADAV @ BRAJESH YADAV
Resident of Village- Atlakh, Ward No-02, P.S.- Basnahi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Banka Excise P.S Case No. 390/2024 dated 12.09.2024 registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 116.925 litres of illicit foreign liquor was recovered from the car. It is further alleged that the petitioner was sitting in the said vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is neither the owner



nor the driver of the said vehicle and he has no concern with the alleged recovery. The other co-accused persons have already been granted regular bail by this court *vide* order dated 13.11.2024 passed in Cr. Misc. No. 78818/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Banka Excise P.S Case No. 390/2024 .

7. The application stands allowed.

(Chandra Prakash Singh, J)

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