

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84312 of 2025

Arising Out of PS. Case No.-649 Year-2021 Thana- FATUA District- Patna

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Guddu Kumar @ Hadiya S/O Ram Uchit Ray @ Ram Uchi Rai R/O Vill.-
Gadhochak, Garhochak, P.S.- Fatuha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra

For the Opposite Party/s : Mr. Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-12-2025 Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in connection with Fatuha P.S. Case No.649 of 2021 dated 31.08.2021 registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the FIR, police received secret information regarding illicit liquor kept near Punpun river. Upon reaching the spot, some persons fled away. During search, 90 liters country made liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in the instant case only on the basis of suspicion raised by the local people. It is further submitted that the recovery was made from an open place which is accessible to the general public, and the petitioner is in no way connected with the seized liquor. He



fairly submits that the petitioner has one criminal antecedent akin to the instant case and is on bail in that case.

5. Learned APP for the State opposed the prayer for grant of anticipatory bail.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Court of Excise, Patna City, Patna in connection with Fatuha P.S. Case No.649 of 2021, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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