

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85639 of 2025

Arising Out of PS. Case No.-485 Year-2025 Thana- GOPALGANJ TOWN District-
Gopalganj

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Guddu Kumar @ Guddu Mahato @ Guddu Kumar Mahato S/o- Mohan
Mahato R/v- Baikunthpur Ps- Baikunthpur Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priya Raj, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2 11-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Gopalganj Nagar PS Case No. 485 of 2025 instituted for the
offences under Section/s 30(a) & 41(1) of the Bihar Prohibition
and Excise Act and Sections 110 & 111 of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that 675 liters
liquor was recovered from pickup van and godown. It is also
alleged that 26.2 liters liquor was recovered from petitioner's
house.

4. 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. It is submitted that recovery is made from the joint house of the petitioner, where other family members also reside. The petitioner is in custody since 15.10.2025 and has got four criminal antecedent/s. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. 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.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalganj Nagar PS Case No. 485 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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