

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35339 of 2026

Arising Out of PS. Case No.-94 Year-2026 Thana- Excise P.S. District- Saran

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Guddu Kumar Son of Ashok Mahto, Resident of Village- Hariharpur Ward
No. 4, P.S.- Derni, District- Saran at Chhapra.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

2 21-05-2026 The matter was heard *via* video conferencing mode.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner seeks bail in connection with Sadar
Excise P.S. Case No. 94 of 2026, registered for the offences
punishable under Sections 30(a) and 32(3) of the Bihar Prohibition
and Excise Act.

4. As per the prosecution case, total 160 litres of
illicit country made liquor was recovered from the a CNG tempo.

5. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case merely on the basis of suspicion. Petitioner is not the
owner of the tempo in question and he has no concern either with
the allegedly recovered liquor or with the tempo in question.
Learned counsel lastly submits that petitioner has clean antecedent



and he is in custody since 23.04.2026.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case and also considering the fact that petitioner is not the owner of the tempo in question and further considering his clean antecedent and his period of custody, this Court is inclined to grant bail to the petitioner.

8. Accordingly, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 3, Saran at Chapra, in connection with Sadar Excise P.S. Case No. 94 of 2026.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observation shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

Shahnawaz/-

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