

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45283 of 2026

Arising Out of PS. Case No.-1137 Year-2025 Thana- SONEPUR District- Saran

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Guddu Kumar Son of Nawal Kishore Mahto Resident of Village- Rasulpur,
P.S.- Nayagaon, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary

For the Opposite Party/s : Mr.Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-07-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Sonepur P.S. Case No.1137/2025 registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. The allegation against the petitioner is to be engage in illegal trading/manufacturing of illicit liquor, where, there is recovery of 360 ml of IMFL/country made liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the motorcycle and petitioner implicated in the present case being owner of the alleged motorcycle. It is submitted that recovery was not made from conscious physical possession of the petitioner, who is a man of clean antecedent.



5. Learned APP, opposes the prayer for bail.

6. In view of aforesaid factual submission and by taking note of fact as recovery of illicit liquor prima-facie not appears to be made from the physical possession of this petitioner, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra/concerned trial court where the case is pending in connection with Sonapur P.S. Case No.1137/2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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