

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45679 of 2026

Arising Out of PS. Case No.-151 Year-2026 Thana- RAXAUL District- East Champaran

Guddu Kumar @ Guddu Prasad S/o Ramji Sah Resident of Village- Gandhi
Nagar (Naga Road), P.S.- Raxaul, Dist.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhandev Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-07-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Raxaul P.S. Case No. 151/2026 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 14.645 litres 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. It is further submitted that motorcycle in issue is not connected in any manner with petitioner and the name of this petitioner transpired in present case on the basis of disclosure as made by co-accused Rohit Kumar. It is submitted that recovery



was not made from the 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 Exclusive Special Excise Court No. 03, East Champaran, Motihari/concerned trial court where the case is pending in connection with Raxual P.S. Case No. 151/2026 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)

S.Tripathi/-

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