IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72710 of 2026

CNR No. BRHC011056012026

Arising Out of PS. Case No.-575 Year-2026 Thana- Excise P.S. District- Nawada

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Guddu Kumar Son of Ramchandra Prasad Resident of Village - Akauna, P.S. - Muffasil, District - Nawada (Bihar)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pushp Raj Singh, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 20-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that from an oil tanker, altogether 225.920 liters of illicit country made liquor and 36 liters of beer were recovered. It is alleged that the apprehended driver has disclosed that the money has been given for the said liquor and beer by this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been

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recovered from the possession of the petitioner. Learned counsel has submitted that his name has transpired on the basis of statement made by the apprehended co-accused. Petitioner is neither the owner nor the driver of the said vehicle. The witnesses of the seizure list are police personnel and police have not complied Section 105 of BNSS while preparing seizure list. Moreover, the petitioner is languishing in judicial custody since 11.09.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that the petitioner is having two criminal antecedent of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Excise P.S. Case No. 575 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge cum in-charge Exclusive Special Judge-9 cum In-charge Exclusive Special Court Excise-2, Nawada/ concerned court **with a condition that the petitioner shall not indulge**

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himself in similar nature of offences in future.

(Ashok Kumar Pandey, J)

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