

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15382 of 2022

Arising Out of PS. Case No.-228 Year-2021 Thana- AMBA District- Aurangabad

Srikant Kumar, age 21 years, male, S/O Jagdish Yadav, R/O Village-
Parmeshri, P.S.- Mali, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-08-2022 Heard Ms. Mukul Kumari, learned counsel appearing
on behalf of the petitioner and Mr. Pradeep Narain Kumar,
learned APP for the State.

At the outset, learned counsel appearing on behalf of
the petitioner seeks permission to make certain corrections in
paragraph no. 14 of the present bail application.

The same may be carried out in course of the day.

Petitioner, who is in custody since 25.12.2021, seeks
regular bail in connection with Amba P.S. Case No. 228 of
2021, G.R. No. 1888 of 2021 registered for offences punishable
under Sections 30(a), Bihar Prohibition and Excise
(Amendment) Act, 2018.

Allegation is of recovery of 450 litres of country
made liquor from two car and one motorcycle.



Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Altogether 37.5 litres of country made liquor was recovered from his motorcycle bearing Registration No. BR-25A-8389. Petitioner is in custody since 25.12.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He submits that the trade of illicit liquor is rampant in the State of Bihar. In spite of complete prohibition in the State, due to consumption of illicit liquor, people at large are dying everyday and they are suffering from various physical disorder, as such it would not be in public interest to release the petitioner on bail.

Taking into consideration the submission made by the learned counsel for the petitioner that motorcycle bearing Registration No. BR- 25 A - 8389 is registered in his name and the same is not stolen, if the petitioner furnishes registration certificate and the certificate shows the motorcycle is registered in his name, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise 1st Aurangabad in connection with Amba



P.S. Case No. 228 of 2021, G.R. No. 1888 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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