

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24130 of 2025

Arising Out of PS. Case No.-396 Year-2023 Thana- BAIKUNTHPUR District- Gopalganj

Krishna Rai @ Krishna Ray S/O Jyotik Rai Resident Of Village- Bahrapur,
Ps- Baikunthpur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan, Advocate

For the State : Mr.Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt on behalf of the petitioner for grant of bail in connection with Baikunthpur P.S. Case No. 396 of 2023 registered for the offence punishable under Sections 308/328/34 of the Indian Penal Code, Sections 3(2)(v) of the SC/ST Act and Sections 30/34/36 of the Bihar Excise Act.

3. Earlier the bail application of the petitioner has been rejected vide order dated 18.04.2024 passed in Cr. Misc. No. 12157 of 2024, which reads as under:

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

2. The petitioner seeks bail in connection with Baikunthpur P.S. Case No. 396 of 2023 registered for the offence punishable under Sections 308/328/34 of the Indian Penal



Code, Sections 3(2)(v) of the SC/ST Act and Sections 30/34/36 of the Bihar Excise Act.

3. After consuming the illicit liquor supplied by the petitioner, the deceased died. The petitioner is in jail since 25.11.2023.

4. In view of the above, this application is dismissed.

5. The trial Court is directed to expedite the trial.”

4. Learned counsel for the petitioner submits that out of five witnesses only one witness has been examined.

5. Considering the fact that the trial has started and witnesses are being examined, I am not inclined to grant bail to the petitioner in view of the judgment of the Hon’ble Supreme Court in the case of **X vs. State of Rajasthan & Anr.** reported in **2024 SCC Online SC 3539**.

6. Accordingly, the application stands dismissed.

7. The Superintendent of Police, Gopalganj is directed to ensure the appearance of the remaining witnesses on the date fixed in the trail.

8. Let a copy of this order be communicated to the Superintendent of Police, Gopalganj for its compliance through FAX or e-mail forthwith.

(Sandeep Kumar, J)

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