

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25624 of 2025

Arising Out of PS. Case No.-263 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Srikant Kumar @ Srikant Prasad S/o- Shyamdeo Prasad Village- Pyarepur,
P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 31-07-2025 Heard the parties.

2. The petitioner seeks bail in connection with Baikunthpur P.S. Case No. 263 of 2024 registered for the offence under Sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. The petitioner is named in the F.I.R. and is in custody since 24.03.2025.

4. The allegation against the petitioner is to be engaged in illegal trading/ manufacturing of illicit liquor, where, there is recovery of 207.360 litres of IMFL /country made liquor.



5. Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from the house of one Manish Kumar which found loaded in a pickup van, and on his confession only the name of petitioner transpired during the course of investigation, in furtherance of which no incriminating liquor as alleged was recovered from his conscious physical possession. While concluding the argument, it is submitted that petitioner found involved in one more criminal case but of different nature, where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of confessional statement of apprehended co-accused *prima-facie* nothing incriminating appears against petitioner, coupled with fact that charge-sheet has



already been submitted, where petitioner is in custody since 24.03.2025, accordingly petitioner above named, is directed to be released on bail in connection with Baikunthpur P.S. Case No. 263 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge XIII cum Special Judge Excise I, Gopalganj /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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