

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58300 of 2025

Arising Out of PS. Case No.-148 Year-2025 Thana- BARHIYA District- Lakhisarai

Gauri Shankar Kumar @ Gauri Shankar Singh S/o Krishnandan Singh R/o
Village - Jaitpur, P.S - Barahia, District – Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Barahia P.S. Case No. 148 of 2025 for the offences registered
under Section 30(a) of the Bihar Prohibition & Excise Act.

3. There is recovery of 24 litres foreign liquor from
two bags which were carried by the petitioner and one co-
accused on a motorcycle. They were apprehended on the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. It is submitted that recovery has been made from a
common place of Dinanath Jha Complex which is market
situated beside the main road. The seized motorcycle does not
belong to the petitioner. There is no independent witness to the
seizure-list. Petitioner has six criminal antecedents out of which



he is on bail in five cases. He is in custody since 13.07.2025. Charge-sheet has already been submitted. There is no chance of tampering with the evidence or absconding of the petitioner.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-IVth-cum-Special Court- 1st, Lakhisarai in connection with Barahia P.S. Case No. 148 of 2025, subject to 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 and on failure on two consecutive dates without sufficient reason, the trial Court may cancel the bail of the petitioner.

(Sunil Dutta Mishra, J.)

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