

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67292 of 2025

Arising Out of PS. Case No.-113 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

Binod Rai Son of Pundev Rai Resident of Village - Balha, P.S.- Baikunthpur,
District - Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dharmveer, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Baikunthpur P.S. Case No. 113 of 2021 registered for the offences

under Sections 30(a)/41 of Bihar Prohibition and Excise Act.

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

since 03.08.2025.

4. The allegation against the petitioner is to have in

possession of 835 litres of illicit liquor and engaged in illegal

trading/manufacturing of illicit liquor.

5. Learned counsel appearing on behalf of the petitioner

submitted that petitioner was not apprehended on the spot, and

therefore, it can be safely gathered that recovery was not made

from conscious physical possession of this petitioner.



6. While concluding argument, learned counsel submitted that petitioner found involved in one more cases of similar nature, wherein he is on bail.

7. Learned APP appearing on behalf of the State, opposes the prayer for bail.

8. In view of the aforesaid factual submission and by taking note of the fact as the recovery of illicit liquor *prima-facie* appears doubtful from conscious physical possession of the petitioner, coupled with the fact that petitioner remains in custody since 03.08.2025, accordingly, petitioner, above named, is directed to be released on bail in connection with Baikunthpur P.S. Case No. 113 of 2021, on 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- XIII-cum-Special Judge, Excise-1, Gopalganj/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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