

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83793 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- KOCHAS District- Rohtas

Shashi Bhushan Kumar, Son of Ramakant Singh, R/o Village - Chatra, Ward
no. 5, P.S. - Kochas, Dist. - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate.

For the State : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Kochas P.S. Case No. 297 of 2024 dated
10.10.2024 registered for the offence punishable under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per allegation, 26.640 litres of illicit country
made liquor has been recovered from one Scooty bearing
registration No. BR-24-AM-1979 and the person who was
riding the Motorcycle, was apprehended and he disclosed that
the said recovered contraband was going to be delivered to the
petitioner.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. He further submits that except confessional statement of co-accused against the petitioner, there is no other material on record which is legally admissible. As such, there is no legally admissible evidence to connect the petitioner to the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering that no *prima facie* case is made out against the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Kochas P.S. Case No. 297 of 2024, subject to the conditions as laid down under Section 482 (2) of the



B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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