

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2233 of 2022

Arising Out of PS. Case No.-184 Year-2021 Thana- IMAMGANJ District- Gaya

PRAMOD KUMAR SON OF RAJESHWAR PRASAD R/O VILLAGE-
DUBHAL, P.S.- IMAMGANJ, DISTRICT- GAYA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-06-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Imamganj P.S. Case No. 184 of 2021 registered for the offences
punishable under Section 30(a) of Excise Act.

As per prosecution case, on secret information the
shop of the petitioner was raided and 6.925 litre English wine
was recovered from his shop.

Learned counsel for the petitioner submits that
petitioner is in custody since 17.11.2021 and bears criminal
antecedent of one case of similar nature. Petitioner has falsely
been implicated in the present case and nothing has been



recovered from his possession. He further submits that petitioner is not owner of the aforesaid shop because shop belongs to joint family property of petitioner's family. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-2 cum Special Judge (Excise) at Gaya in connection with Imamganj P.S. Case No. 184 of 2021, subject to following conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned



Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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