

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9318 of 2022**

Arising Out of PS. Case No.-35 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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PRAMOD KUMAR @ CHUNCHUN SINGH SON OF LATE KRISHAN
MURARI SINGH RESIDENT OF VILLAGE- SUPAUL, P.S. PATORI,
DIST.- SAMASTIPUR, PRESENT RESIDENT OF VILLAGE-
MANDAIDIH, P.S. PATEPUR, DIST.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State through virtual court proceeding.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Excise Case C2A No. 35 of 2021 registered
for the alleged offences under Section 30 (a), 32 (i), 32(ii) and
41(i) of the Bihar Prohibition and Excise Act, 2018.

The prosecution case is that secret information was
received about petitioner and co-accused bringing large
quantity of liquor. The place where the consignment was to be



brought, was raided and from one of the two vehicles parked there, 3033.000 liters of Indian made foreign liquor was recovered. 10 to 15 persons fled away from the spot.

Learned counsel for the petitioner submits that the petitioner was not present at the place of occurrence and nothing has been recovered from his possession. The petitioner has got no concern with the liquor recovered or the vehicle seized. The prosecution report has been submitted and the petitioner is in custody since 21.01.2022 being remanded from some other case.

Learned A.P.P. for the State has opposed the prayer for bail submitting that the petitioner and co-accused persons are engaged in illegal business of liquor and they have brought this huge quantity of he liquor for the purpose of business.

Having regard to the submissions made hereinabove and considering the fact that petitioner has not been arrested from the spot and there is nothing on record to show from his possession seized liquor was recovered and further considering the period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like



amount each to the satisfaction of learned Exclusive Prohibition and Excise Court(Second)-cum-Additional District & Sessions Judge, Hajipur, Vaishali in connection with Excise Case C2A No. 35 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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