

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41759 of 2021

Arising Out of PS. Case No.-272 Year-2021 Thana- DAUDNAGAR District- Aurangabad

PRAMOD KUMAR S/O CHANARIK YADAV R/o village- Ajarkabe
Hasauli, P.S.- Muffasil, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Daudnagar PS case no. 272 of 2021 instituted for the offences punishable under Sections 420, 467, 468, 471, 120(B) of Indian Penal Code and 30(a), 34, 36, 41(1) of Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 4653 liters of illicit foreign liquor from a truck and the petitioner herein along with other co-accused persons are stated to be



occupants of a car which was following the said truck.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner is an accused in one other case but he is on bail in the said case. The petitioner is stated to be languishing in custody since 21.05.2021. The learned counsel for the petitioner has further submitted that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor from the car, in which he was sitting. The learned counsel for the petitioner has further submitted that the investigation in this case is complete and charge sheet has already been filed. Lastly, it is submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 21.10.2021, passed in Cr. Misc. no. 40769 of 2021.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner



with that of the co-accused persons who have already been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner to the privilege of bail. Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions Judge II-cum-Special Jude, Excise, Aurangabad in connection with Daudnagar PS case no. 272 of 2021.

(Mohit Kumar Shah, J)

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