

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11357 of 2023

Arising Out of PS. Case No.-617 Year-2022 Thana- KADAMKUAN District- Patna

PRANOD PATEL @ BHOKALI SON OF GULAB LAL MAHTO R/O
VILLAGE- AWAGIL RAMPUR, P.S.- MEDANI CHOWKI, DISTRICT-
LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Special Case No. 7104 of 2022 arising out of Kadamkuan P.S.
Case No. 617 of 2022 registered for the offences punishable
under Sections 30(a)/37 of the Bihar Prohibition and Excise Act.

As per prosecution case, there is alleged recovery
of 400 ml foreign liquor from the room of Patel Chhatravash.
Petitioner alongwith others apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 27.10.2022. Petitioner bears two
criminal antecedents which are not of similar nature. Charge
sheet has already been submitted in the case and there is no



likelihood of tampering with the prosecution evidence.

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

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge – Excise, Patna in connection with Special Case No. 7104 of 2022 arising out of Kadamkuan P.S. Case No. 617 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has 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 without appropriate permission 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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