

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23265 of 2024

Arising Out of PS. Case No.-141 Year-2021 Thana- RAJAOLI District- Nawada

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Pramod Kumar Yadav @ Pramod Yadav @ Pramod Kumar S/o Devaki Yadav
Resident of Village- Mohkama, P.S. Rajouli, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manmohan Kumar, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rajouli
P.S. Case No. 141 of 2021 instituted for the offences punishable
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 300 liters of illicit
country made mahua liquor has been recovered from the Job
forest area.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case only on the basis of
suspicion. He has no concern with the alleged recovered liquor
and place of recovery. Neither the petitioner was arrested on the



spot nor any incriminating article has been recovered from his conscious possession. His name transpired in this case only on the basis of secret informant and on disclosure of local Chaukidar and spy. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. Petitioner is languishing in judicial custody since 29.11.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-2, Nawada in connection with Rajouli P.S. Case No.141 of 2021.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on above conditions and he shall be present physically on



each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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