

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37480 of 2024

Arising Out of PS. Case No.-7 Year-2020 Thana- TAJPUR District- Samastipur

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Pramod Kumar @ Awadhesh Singh Son of Gulten Singh @ Gutatan Singh
R/o- Godhiyari Rajkha Rampur ,P.S- Tajpur ,Dist-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha, Advocate
Mr. Pankaj Kumar, Advocate

For the State : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-07-2024 Heard learned counsel for the Petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with
Tajpur P.S. Case No. 7 of 2020 dated 06.01.2020 registered for
the offences punishable under Sections 30(a), 41(1), 42(2) of the
Bihar Prohibition and Excise Act 2018.

3. Mr. Sanjeev Kumar Jha, learned counsel appearing
for the petitioner submits that admittedly the petitioner was not
apprehended at the spot with the seized foreign liquor which is
said to have been recovered from a *Maruti Car* and two accused
namely, Kamlesh Kumar and Raja Kumar are alleged to have
been arrested at the spot of recovery with the alleged liquor



from the alleged vehicle. It is further submitted that the name of the petitioner surfaced in the confessional statement of co-accused persons and except this, there is no material against him and the said co-accused persons namely, Kamlesh Kumar and Raja Kumar have been granted bail by a co-ordinate Bench of this Court vide order dated 14.05.2020 passed in Cr. Misc. No. 10994 of 2020 and the case of this petitioner stands on better footing from the said co-accused persons. It is further submitted that the petitioner has been languishing in jail since 30.03.2024 and as per allegation, the seized liquor was to be delivered to the petitioner but in this regard, no admissible evidence was found during investigation.

4. Dr. Kumar Uday Pratap, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the above submissions and mainly taking into account the privilege of bail having been granted to above-mentioned co-accused persons who are said to have been apprehended at the spot of recovery and also that the petitioner's name transpired in their confessional statements made before the police, in my opinion, in the said circumstances, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail



on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Tajpur P.S. Case No. 7 of 2020.

(Shailendra Singh, J)

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