

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42264 of 2024

Arising Out of PS. Case No.-241 Year-2021 Thana- BAHERA District- Darbhanga

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Pramod Yadav S/o Mahendra Yadav R/o Village- Fardaha Vishwanathpur,
p.s.-Bahera, district-Darbhangha

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-08-2024 Heard Mr. Nawal Kishor Prasad, learned counsel for

the petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the

State.

2. The petitioner seeks for bail in a case registered for
the offences punishable u/s 30 (a) of Bihar Prohibition and
Excise Act, 2016.

3. Altogether 4340.16 liters of illicit liquor is said to
have been recovered from a truck and a pick up van.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner. He has no concern either
with the seized liquor or any trade of liquor. He has been falsely
implicated in this case at the instance of his enemy. His name



transpired in the case only on the basis of statement of the driver of the pick up van. Petitioner is in judicial custody since 04.05.2024. Petitioner has two criminal antecedents.

5. A supplementary affidavit is filed on behalf of the petitioner stating that the petitioner is voluntarily agreed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Bahera P.S. Case No.241 of 2021 with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will



inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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