

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59481 of 2024**

Arising Out of PS. Case No.-17 Year-2021 Thana- SARAIYA District- Muzaffarpur

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Pramod Rai @ Pramod Kumar Rai Son of Thakuri Rai @ Thakur Ray  
Resident of Village - Rampur Mango, P.S. -Saraiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      20-09-2024                      Heard learned counsel appearing on behalf of  
  
the petitioner and learned APP appearing on behalf of  
  
the State.

2. The petitioner seeks bail in connection with  
  
Saraiya P.S. Case No. 17 of 2021 registered for the  
  
offences under Section 30 (a) of the Bihar Prohibition  
  
and Excise Act.

3. The petitioner is named in the F.I.R. and is  
  
in custody since 12.07.2024.

4. The allegation against the petitioner is to be  
  
engage in illegal trading/manufacturing of illicit liquor,  
  
where, there is recovery of 7200 litres of IMFL/country



made liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that name of petitioner surfaced in the present case on the basis of confessional statement of co-accused Ankit Sharma, in furtherance of which no incriminating material recovered/surfaced so as to connect this petitioner with the recovery of alleged illicit liquor. It is submitted that recovery is not made from conscious physical possession of this petitioner. While concluding the argument it is submitted that petitioner found involved in two more cases where he is on bail.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, coupled with the fact as petitioner is in custody since 12.07.2024, accordingly, petitioner, above named, is directed to be released on bail in connection



with Saraiya P.S. Case No. 17 of 2021 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 Court No. II, Muzaffarpur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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