

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36386 of 2025**

Arising Out of PS. Case No.-594 Year-2022 Thana- FATEHPUR District- Gaya

=====

Pramod Kumar @ Pramod Yadav S/o Late Shyamlal Yadav @ Late Siyalal
Yadav R/o Village- Rangaini, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 30-06-2025 Heard Mr. Rakesh Singh, learned counsel for the

petitioner and Mr. Shantanu Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
22.04.2025, in connection with Fatehpur P.S. Case No. 594 of
2022, F.I.R. dated 22.09.2022 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Amendment Act, 2018.

3. Recovery is of 890 litres of country made liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the allegation as alleged in
the F.I.R. is false and fabricated and the petitioner has not
committed any offence as alleged in the F.I.R. He further
submits that from perusal of the F.I.R. it appears that altogether



840 litres of country made liquor was recovered from the Sumo Victa vehicle and 50 litres of country made liquor has been made from the motorcycle in question and the petitioner is the owner of the motorcycle in question. He further submits that it appears from the F.I.R. that nothing has been recovered from the conscious possession of the petitioner rather recovery has been made from the motorcycle in question and he has been made accused merely on the ground that he is the owner of the motorcycle in question. The petitioner is in custody since 22.04.2025..

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries five more cases other than the present one of similar nature.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner rather recovery has been made from the vehicle in question, 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 Presiding Officer, Exclusive Special Excise Court No. 4, Gaya in connection with Fatehpur P.S. Case



No. 594 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

U			
---	--	--	--

