

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38121 of 2025

Arising Out of PS. Case No.-399 Year-2020 Thana- PAROO District- Muzaffarpur

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Pramod Rai @ Pramod Kumar Rai S/O Thakuri Rai @ Thakur Ray Resident
of village- Rampur Mango, PS- Saraiya, district- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38132 of 2025

Arising Out of PS. Case No.-399 Year-2020 Thana- PAROO District- Muzaffarpur

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Manjay Ray @ Manoranjan Kumar S/o Shive Ray @ Shiv Ray Resident of
village - Rampur Mango @ Rampur Fago, P.S.- Saraiya, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 38121 of 2025)

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

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

(In CRIMINAL MISCELLANEOUS No. 38132 of 2025)

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

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2025 Heard Mr.Manoj Kumar, learned counsel for the

petitioners, Mr.Md. Shakir Ahmad, (In Criminal Miscellaneous

No. 38121 of 2025) and Mr.Ashok Kumar Singh, (In Criminal

Miscellaneous No. 38132 of 2025) learned A.P.Ps. for the State.

2. The petitioners seek bail, who are in custody since

11.05.2025 in connection with Paroo P.S.Case No.399 of 2020,



F.I.R. dated 12.07.2020 registered for the offence punishable under Section 30,30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of 1994.00 liters of illicit foreign liquor.

4. Learned counsel appearing for the petitioners submits that it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession. As per allegation in the FIR the police has received the secret information that the petitioners and other co-accused persons were busy in unloading the foreign liquor. Learned counsel for the petitioners submits that the allegation as alleged in the FIR is false and fabricated and from a bare perusal of the FIR it appears that nothing has been recovered from conscious possession of the petitioners rather the recovery has been made in front of Gas Godown of one Sohan Patel and altogether 1994 liters of foreign liquor was recovered from the vehicle in question and petitioner has no concern at all with the alleged recovery of illicit liquor or the co-accused persons and similarly situated co-accused persons, namely, Nand Kishore Ray and Awadhesh Ray have been granted regular bail by a Coordinate Bench of this Hon'ble Court as well as by this Court vide order dated 26.11.2021 passed in Cr. Misc. No.32315 of 2021 and



vide order dated 20.12.2021 passed in Cr. Misc. No. 50166 of 2021 respectively and the petitioners are in custody since 11.05.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioners and submits that petitioner, namely, Pramod Rai @ Pramod Kumar Rai carries two more cases other than the present one and he is on bail in both the cases and petitioner, namely, Manjay Ray @ Manoranjan Kumar has clean antecedent.

6. Considering the aforesaid fact, nothing has been recovered from conscious possession of the petitioners and similarly situated co-accused persons, namely, Nand Kishore Ray and Awadhesh Ray have been granted regular bail by a Coordinate Bench of this Hon'ble Court as well as by this Court, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Court No.-II, Muzaffarpur in connection with Paroo P.S.Case No.399 of 2020, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)

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