

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39615 of 2025

Arising Out of PS. Case No.-27 Year-2023 Thana- SAHARGHAT District- Madhubani

Pramod Kumar, S/o Late Shiv Kumar Paswan, R/o Village- Rampur
Gadikhana, P.S.- Khagaoul, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	M/S. Gagan Deo Yadav, Rajesh Kumar and Ravi Prakash, Advocates
For the Opposite Party	:	Mrs. Nirmala Kumari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Saharghat P.S. Case No. 27 of 2023 dated 04.03.2023, G.R. No. 358 of 2023 registered for the offences punishable under Sections 272, 273, 414 read with Section 34 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 180 litres of Nepali country made Saufi liquor was recovered from the Tempo on which Bhutai Mahto and Shankar Paswan were sitting and total 90 litres of Nepali made Saufi liquor was recovered from the motorcycle which was driven by Keshav Mandal.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from the possession of the petitioner. The petitioner is not named in the F.I.R. and his name has surfaced in the present case as he is the owner of the Tempo in question from which 180 litres of Nepali country made Saufi liquor was recovered. The petitioner has given the said Tempo to the co-accused Bhutai Mahto and Shankar Paswan on rent and the petitioner had no knowledge regarding the alleged offence. The petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 08.05.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Excise Court), Madhubani in connection with Saharghat P.S. Case No. 27 of 2023, G.R. No. 358 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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