

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50866 of 2025

Arising Out of PS. Case No.-279 Year-2025 Thana- Excise P.S. District- Gopalganj

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Pramod Yadav @ Pramod Chaudhary S/o Late Ramnarayan Chaudhary @
Narayan Yadav R/o Village- Ganga Nursery. Sareya Ward No. 6, P.S. and
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Swarnima, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-08-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Gopalganj Excise
P.S. case No. 279 of 2025 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 10 liters
liquor was recovered out of which 1 litre liquor was
recovered from the plastic bag of the petitioner.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. No incriminating material has been
recovered from the conscious possession of the petitioner.



The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 13.05.2025 and has got eleven criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The petitioner has eleven criminal antecedents and, as such, he does not deserve bail.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gopalganj Excise P.S. case No. 279 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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