

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70848 of 2025

Arising Out of PS. Case No.-533 Year-2023 Thana- BARH District- Patna

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Pramod Kumar @ Pramod Mahto @ Prama Mahto Son of Late Buchai Mahto
Resident of Village - Jamunichak, Police Station - Barh, District - Patna
(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Ms. Indu Kumari Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 26 litres of illicit liquor
was recovered near the *gumti* and it is alleged that petitioner
along with other co-accused fled away from the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case merely on suspicion. Further submission is that the place of
recovery is open place. Petitioner was not present on the spot
and he has no concern with the seized liquor. Nothing has been
recovered from conscious possession of the petitioner. The



charge-sheet has already been submitted after completion of investigation. There is no independent witness on the seizure list. Petitioner has seven criminal antecedents out of which, two belong to the Excise Act and he is on bail in all the cases. There is no chance of absconding of the petitioner or tampering with the evidence. Petitioner is in custody since 19.07.2025 and he undertakes to cooperate in the trial.

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

6. Considering the facts and circumstances of the case, the submissions of learned counsel for the parties and period of custody, 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 the Court concerned in connection with Barh P.S. Case No.533 of 2023 with further conditions:-

(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(ii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence,



failing which the State shall be at liberty to take steps for
cancellation of the bail bond;

(iii) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bond.

(Sunil Dutta Mishra, J)

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