

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87630 of 2024

Arising Out of PS. Case No.-756 Year-2024 Thana- Excise P.S. District- Nawada

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Pramod Kumar @ Parmod Kumar S/O Khiru Yadav Resident of Village-
Bagai, P.S. Gurpa, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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

ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with

Nawada Excise P.S. Case No. 756 of 2024 instituted for the

offences under Section 30(a) & 47 of the Bihar Prohibition

and Excise Act, 2018/2022.

3. As per prosecution case, the police has recovered

total 1000 liter of illicit country made liquor from five

motorcycles, out of which 50 liters liquor was recovered from

the petitioner's motorcycle.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or from his house. The petitioner has no concern with any of the seized motorcycles. The petitioner is neither driver nor owner of any of the vehicles seized by the police. The petitioner has also no concern with the recovered illicit liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent in which he is on bail and is languishing in judicial custody since 31.10.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail



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 Nawada Excise P.S. Case No. 756 of 2024.

(Rudra Prakash Mishra, J)

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