

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19474 of 2026

Arising Out of PS. Case No.-172 Year-2026 Thana- BHAGWAN BAZAR District- Saran

Pramod Rai @ Pramod Ray S/O Vishwanath Rai R/V - Mangaidih, P.S-
Mufassil ,Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shweta Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-03-2026 Heard Ms. Shweta Anand, learned counsel for the

petitioner and Mr. Yogendra Kumar Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
23.02.2026 in connection with Bhagwan Bazar P.S. Case No.
172 of 2026, F.I.R. dated 22.02.2026 for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 55 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The allegation as alleged in the FIR is false and
fabricated and the petitioner has not committed any offence as
alleged in the FIR. She further submits that it appears from the
FIR as well as seizure list that nothing has been recovered from



the conscious possession of the petitioner rather the recovery has been made from the open place near railway track. She further submits that the petitioner has been made accused merely on the basis of suspicion and except the suspicion, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 23.02.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries three criminal antecedents of similar nature other than the present one but fairly submits that the petitioner is on bail in the pending matters.

6. Considering the aforesaid facts and circumstances that nothing has been recovered from the conscious possession of the petitioner and petitioner has been made accused merely on the basis of suspicion, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-1, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 172 of 2026, subject to the following conditions:-

i. Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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