

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25655 of 2019

Arising Out of PS. Case No.-145 Year-2019 Thana- DIGHA District- Patna

PAWAN KUMAR Son of Mohan Ray, Resident of Mohalla Gate No. 89,
Makhdumpur, P.S. Digha, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lovekush Kumar
For the Opposite Party/s : Mr.Veena Kumari Jaiswal

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Special Case
No. 2797 of 2019 arising out of Digha P.S. Case No. 145 of
2019 for offences punishable under Sections 30(a) and 38 (1) of
the Bihar Excise (Prohibition) Amendment Act, 2016 and 272,
273 and 414/34 of the Indian Penal Code.

The prosecution case as lodged by the police
personnel is that the petitioner and two others were apprehended
in two motorcycle along with 77.010 litres of illicit liquor.
Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, nothing
has been recovered from his conscious possession and he has



been sufficiently punished and is languishing in judicial custody since more than one month.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and that petitioner does not bear any criminal antecedent as stated in para-3 of the present application, let the petitioner above named be enlarged 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, Patna in connection with Special Case No. 2797 of 2019 arising out of Digha P.S. Case No. 145 of 2019.

(Nilu Agrawal, J)

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