

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37321 of 2020**

Arising Out of PS. Case No.-13 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Patna

=====

PAWAN KUMAR SON OF SRI UPENDRA RAI RESIDENT OF VILLAGE-  
BIRPUR, P.S.- JURAWANPUR, DISTRICT- VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mrs. Usha Kumari Singh  
For the Opposite Party/s : Mr. A.G.

=====

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      02-02-2021                      Heard the learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with  
Special Case No. 3479 of 2020 (arising out of P.R. Nadi P.S.  
Case No. 13 of 2020) for the offence registered under Sections  
30(a), 32(1), 32(3), 41(1) and 41(2) of the Bihar Prohibition &  
Excise Act.

The allegation is regarding recovery of 100 litres of  
Chulai liquor from a tempo and the petitioner is stated to have  
been driving the same.

The learned counsel for the petitioner has submitted  
that the petitioner is innocent, has been falsely implicated in the  
present case, is having a clean antecedent and he is languishing



in custody since 15.05.2020. The learned counsel for the petitioner has further submitted that the petitioner is merely driver of the tempo in question, however, the illicit liquor might be belonging to the co-passengers.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to 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 learned Special Judge, Excise Act, Patna in connection with Special Case No. 3479 of 2020 arising out of P.R. Nadi P.S. Case No. 13 of 2020.

**(Mohit Kumar Shah, J)**

S.Sb/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

