

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49217 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Pawan Kumar @ Pawan Yadav, son of Dhobi Yadav, Resident of village -
Jaynagar, Chhoti Kabiya, P.S.- Lakhisarai (Kabaiya), District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Excise P.S. Case No. 119C2 of 2022 registered for the alleged offences under Section 30 (a) of the Bihar Prohibition and Excise Act.

Allegedly, the petitioner and the co-accused persons were apprehended while getting down from a train and they were found carrying illicit liquor in a sack and on search, about 16.500 liters of illicit liquor was recovered from the sack.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his



conscious possession. The petitioner has no concern with the recovered articles. The prosecution report has been submitted in this case and the petitioner is in custody since 20.05.2022.

Learned A.P.P. opposes the prayer for bail made on behalf of the petitioner submitting that the petitioner is a habitual offender.

Having regard to the submissions made on behalf of the petitioner and considering the submission of prosecution report and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Lakhisarai, in connection with Excise P.S. Case No. 119C2 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court



below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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