

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55053 of 2022

Arising Out of PS. Case No.-150 Year-2021 Thana- KHODAWANDPUR District- Begusarai

Pawan Kumar S/o Sita Ram Singh R/o village- Makhwa Ward No. 07, P.S.-
Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 26-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Khodawandpur P.S. Case No. 150 of 2021, lodged under
Sections 120(B), 414, 465 and 477 of the Indian Penal Code
read with Sections 30(a) and 41(1) of the Bihar Prohibition and
Excise Act.

As per the prosecution case, the total recovery of
2417.40 liters of wine has been made from a *Truck* and *Pick Up*
Van, which is the subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He also

submits that petitioner is the driver of the *Pick Up* van and he was completely unaware of what is loaded in the *Truck*.

Learned counsel further submits that antecedent of the petitioner is clean and he is in custody since 24.08.2022 and charge sheet has already been filed in this case. Learned counsel also submits that there is gross violation of Section 100 of the Cr.P.C. in preparation of seizure list.

Learned A.P.P. for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge-I, Begusarai connection with Khodawandpur P.S. Case No. 150 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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