

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58967 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- KACCHWA District- Rohtas

PAWAN PASI, S/o Suresh Pasi R/o Village- Bihta (Charu Gram), P.S.-
Imadpur, Distt- Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Let the defect (s), if any, as pointed out by the
office, be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Kachhwan P.S. Case No. 56 of 2022 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

As per prosecution case, petitioner was apprehended
carrying 48 liters of illicit country made *mahua* liquor on his
motorcycle.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. Learned counsel further submits that nothing incriminating

has been recovered from the conscious possession of the petitioner. The petitioner is not owner of the vehicle seized by the police and he has no concern with the allegedly seized liquor. There is no eye witness to the search and seizure. Charge sheet has been submitted in this case and the petitioner is in custody since 09.06.2022.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner submitting that the petitioner is having criminal antecedent.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the submission of charge sheet along with period of custody of the petitioner, the petitioner above named 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 Special Judge Excise, Rohtas at Sasaram in connection with Kachhwan P.S. Case No. 56 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present

on each and every date fixed by the court below.

(iii) 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)

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