

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60932 of 2022

Arising Out of PS. Case No.-740 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Pawan Kumar, S/O Sri Ashok Kr. Saw @ Ashok Sao @ Ashok Kr. Sao,
Resident of Naya Gao, Chaili Tand, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Mohan, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Special
Case No.5273 of 2022 arising out of Excise P.S. Case No.740 of
2022 registered for the offence punishable under Section 30(a)
of the Bihar Prohibition and Excise Act, 2018.

There is alleged recovery of 70 litres *Mahuwa* wine
from a scooty. It is alleged that the petitioner was driving the
scooty and fled away on seeing the police party.

Counsel for the petitioner submits that the petitioner
had no concern with the scooty or the alleged recovery. He is in



custody since 31.08.2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the period of custody as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, let the petitioner, above named, 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 the learned Special Court, Excise Act, Patna, in connection with Special Case No.5273 of 2022 arising out of Excise P.S. Case No.740 of 2022, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well



represented on each date and if he fails to do
so on two consecutive dates, his bail bond
will be liable to be cancelled.

(Madhuresh Prasad, J)

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