

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62044 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- KOTWA District- East Champaran

Pawan Srivastawa @ Pawan Singh S/O Nirmal Singh @ Nirmal Srivastawa
Resident Of Village- Gopalgadh, P.S- Thave, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner prayed for regular bail in connection with Kotwa P.S. Case No. 278 of 2023 instituted for the offence under Sections 272, 273 of the IPC and Sections 30(a), 32, 36, 41(1) of the Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner, co-accused persons along with a pickup van and with a maruti car were apprehended on the spot and from the alleged vehicles total 750.6 liters foreign liquor was recovered.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



present case. He has got no criminal antecedent. The petitioner has no concern with the alleged recovery nor vehicles in question belong to him. No any incriminating article has been recovered from his conscious possession. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner is languishing in judicial custody since 25.07.2023.

Learned APP appearing for the State has vehemently opposed the prayer of Bail.

The petitioner is directed to deposit a sum of Rs 20,000/- (Twenty Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kotwa P.S. Case No. 278 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

The bail bonds of the petitioner shall be accepted by the learned court below on showing the receipt of deposit of



Rs. 20,000/- (Rs. Twenty thousand) by the petitioner in the
account of the concerned DLSA.

(Sunil Kumar Panwar, J)

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