

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72497 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- AMNAUR District- Saran

PAWAN KUMAR RAY @ PAWAN KUMAR YADAV Son of Dudhnath Ray
R/v- Guna Chapra, P.S.- Amnour, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Amnour P.S. Case No. 77 of 2022, registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 30(c) of Bihar Prohibition and Excise Act, 2018.

The allegation is regarding recovery of 430 litres of illicit liquor from the wheat field of the co-accused person, namely, Azad Singh and the said co-accused person including the petitioner herein have been implicated on the statement of the informant to the effect that they had managed to



flee away from the spot.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 21.09.2022. The learned counsel for the petitioner has further submitted that the field in question from where the illicit liquor has been recovered does not belong to the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither the field in question from where the illicit liquor has been recovered belongs to the petitioner nor the petitioner has been arrested from the spot nor any illicit liquor has been recovered from the conscious possession of the petitioner, I deem it fit and proper to admit the



petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to 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 learned Additional District and Sessions Judge-IInd-cum-1st Exclusive Special Judge Excise, Saran (Chapra) in connection with Amnour P.S. Case No.77 of 2022.

(Mohit Kumar Shah, J)

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