

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7822 of 2024

Arising Out of PS. Case No.-190 Year-2023 Thana- PRANPUR District- Katihar

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Pawan Kumar Patel @ Pawan Singh S/O Ram Sagar Singh R/O Village-
Mathurapur, Ward No. 03, PS. Nagar, Dist. Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Pranpur
Roshna P.S. Case No. 190 of 2023 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

3. As per prosecution case, the police, on receipt of
secret information, reached at the place of occurrence. On
seeing the police party, a person on a Scorpio vehicle bearing
Registration No. BR-32H 6555 started to flee away from there
but, was apprehended by the police. On query, he disclosed his
name as Pawan Kumar Patel (the petitioner). On search, the
police recovered altogether 175.940 liter foreign liquor from the



Scorpio vehicle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case on the instance of his enemies. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is the owner and driver of the vehicle, in question. The petitioner was not aware of the contents of the material loaded in the vehicle and the petitioner has no concern with the seized article/liquor. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a violation of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 30.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Pranpur Roshna P.S.
Case No. 190 of 2023.

(Rudra Prakash Mishra, J)

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