

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10309 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- HISUWA District- Nawada

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Pawan Kumar, Gender- Male, aged about 35 years, Son of Late Kapil Singh
@ Kapildeo Singh, Resident of Village- Hadsa, P.S.- Hisua in the district of
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-03-2025 Heard Mr. Sunil Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Madan Kumar, learned APP

for the State.

2. The petitioner seeks pre-arrest bail in connection
with Hisua P.S. Case No. 173 of 2024, registered for the offence
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act as amended up-to-date.

3. As per the allegation made in the FIR, altogether
207.405 litres of illicit liquor was recovered from a Verna car
bearing Registration No. JH01Z-8358.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Petitioner has no concern



either with the seized car from which the illicit liquor was recovered or with the alleged seized liquor nor he is involved in trade of liquor in any manner. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Nawada, in connection with Hisua P.S. Case No. 173 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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