

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14238 of 2025**

Arising Out of PS. Case No.-218 Year-2024 Thana- YADOPUR District- Gopalganj

Pawan Singh S/O Kamlesh Singh R/O Vil.- Sihorwa, P.S.- Yadopur @
Jadopur, Dist.- Gopalganj. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate
For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 07-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Yadopur

@ Jadopur P.S. Case No. 218 of 2024, registered for the offence

under Section 30(a) of Bihar Prohibition and Excise Amendment

Act, 2022 and Sections 25(1-B)(a), 26(1) and 35 of Arms Act.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 26.12.2024.

4. The allegation against the petitioner is to be involved

in illegal trade/manufacturing of illicit liquor and, as such, found in

possession of 221 litres of illicit liquor alongwith one country made

pistol with other co-accused persons.

5. Learned Counsel appearing on behalf of the petitioner

submitted that the recovery of illicit liquor as per the seizure list

cannot be said to be recovered from the conscious physical



possession of this petitioner. It is pointed out that illicit liquor appears to be recovered from a boat accessible by the general public. It is further submitted that to aggravate the allegation the petitioner was shown in possession of a country made pistol. While concluding the argument, it is submitted that the investigation of this case is already completed, for which a charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, the petitioner found involved in one more criminal case, where he is on bail.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid facts and circumstances and by taking note of the fact as recovery of illicit liquor and country made pistol *prima facie* appears doubtful from the conscious physical possession of this petitioner, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 26.12.2024 accordingly, petitioner above named, is directed to be released on bail in connection with Yadopur @ Jadopur P.S. Case No. 218 of 2024, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge -XIII cum Exclusive Special Judge, Excise Court-I, Gopalganj/concerned Court, subject



to the conditions as mentioned under Section 437(3) of the
Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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