

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14224 of 2025

Arising Out of PS. Case No.-414 Year-2024 Thana- BANJARIA District- East Champaran

Pawan Kumar, Gender-Male, aged about 35 years, S/O Late Dhela Sahani,
Resident of village- Jhakhiya, P.S.- Banjariya, District- East Champaran

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party : Mr. Syed Ehteshamuddin, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Banjariya
P.S. Case No. 414 of 2024 dated 15.12.2024 registered for the
offences punishable under Sections 274, 275 of the B.N.S. and
Sections 30(a) and 41 of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per the prosecution case, total 70 litres of country
made liquor is said to have been recovered from the 'Nayaka
Tola Temple' which is situated at the bank of 'Majhriya Man' at
Jhakhiya.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the



present case. It is further submitted that the alleged seized illegal liquor was recovered near the ‘Nayaka Tola Mandir’ and the petitioner has no concern with the alleged offence. He was not arrested on the spot. No incriminating article has been recovered from his possession. There is no statutory compliance of Section 103 of the B.N.S.S, 2023. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 16.12.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 01, East Champaran at Motihari in connection with Banjariya P.S. Case No. 414 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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