

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26673 of 2025

Arising Out of PS. Case No.-25 Year-2023 Thana- EXCISE JAGDISHPUR District- Bhojpur

Pawan Kumar S/O Nand Gopal Halwai Resident of Simri Road, Bhojpur
Kadim, Buxar, Purana Bhojpur, PS- Naya Bhojpur O.P., Bihar- 802133

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akanksha Malviya, Advocate

For the Opposite Party/s : Mr. Renuka Ratnakar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Excise (Jagdishpur) P.S. Case No. 25 of 2023 dated 25.07.2023,
instituted for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act, 2018.

3. The allegation is of recovery of 21 litres country
made liquor from the motorcycle bearing Registration No. BR
03 T 3728, which belongs to the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that petitioner is the owner of the
said motorcycle but the motorcycle of the petitioner was stolen



on 25.03.2023 i.e. much prior to the date of occurrence. It is next submitted that petitioner has also filed a complaint about the theft of his motorcycle in Ara Nawada Police Station in the form of Sanaha which is evident from Annexure-P/3. It is further stated that nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has been dragged in this case because he is the owner of the seized motorcycle. It is also submitted the petitioner is a shopkeeper and is running the business of sweets and he has no concern with the alleged illicit liquor. Lastly, it has been submitted that petitioner has no criminal antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Excise (Jagdishpur) P.S. Case No. 25 of 2023, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, Excise Court No. II, Bhojpur at Ara, subject to condition as laid



down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

Sankalp/-

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