

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27446 of 2025

Arising Out of PS. Case No.-1249 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Pawan Kumar S/O Shivji Bhagat Resident of Village- Daud Chhapra, P.S-
Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioner is apprehending arrest in connection with Abhiyapur P.S. Case No. 1249 of 2024, dated 11.09.2024, lodged under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 732.885 liters of foreign liquor has been made from pick-up van is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the antecedent of the petitioner is clean. He submits that the petitioner has been made accused in this case only due to the reason that he is the owner of the vehicle on



which the said recovery has been made. Counsel further submits that the petitioner is completely unaware that what the driver of the vehicle is doing as he has given his vehicle for commercial purposes due to the reason that he used to pay the commercial tax on the said vehicle.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that huge quantity of wine has been recovered from petitioner's vehicle and denial of the petitioner is not acceptable.

6. In the present facts and circumstances, that such a huge quantity has been recovered from his vehicle, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

Sudhanshu/-

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