

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28050 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- KUTUMBA District- Aurangabad

Pawan Kumar Son of Parween Paswan @ Parbil Paswan Village -Gheura, Ps-
Risiyap, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari, Adv.

For the Opposite Party/s : Ms.Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 72 of 2025 arising out of Kutumba P.S. Case No. 21 of
2025 instituted for the offences under Section 30(a) of the
Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, the police has recovered
total 100 liters of illicit country-made liquor from the
motorcycle. The petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the



present case. The petitioner is not the owner of the alleged motorcycle. The petitioner was the pillion rider. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner was not aware of the contents of the material kept in the alleged motorcycle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with G.R. No. 72 of
2025 arising out of Kutumba P.S. Case No. 21 of 2025.

(Rudra Prakash Mishra, J)

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