

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36350 of 2025

Arising Out of PS. Case No.-153 Year-2025 Thana- EXCISE DANAPUR District- Patna

Pawan Kumar S/o- Ashok Prasad Resident of Rajeev Nagar PS Po- Rajeev Nagar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roushan Kumar, Adv.

For the Opposite Party/s : Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Danapur Utpad Excise P.S. Case No. 153 of 2025 instituted for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police has recovered total 45 liters of illicit country-made liquor from the Auto.

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 merely on the basis of suspicion. As per prosecution case, the petitioner is the driver of the alleged Auto. 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 is not the owner of the alleged Auto. 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 27.03.2025 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 Danapur Utpad Excise P.S. Case No. 153 of 2025.

(Rudra Prakash Mishra, J)

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