

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43667 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Pawan Kumar S/o Ramkant Ray R/o Vill- Maharajganj, P.S.- Chapra
Muffasil, Distt- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 983.88 liters of foreign liquor is said to have been recovered from the truck of the petitioner.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. The petitioner is the owner of the truck. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list. It is next submitted that the truck was being driven by the driver who indulged in



carrying the liquor without the knowledge and consent of the petitioner.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has one criminal antecedent of similar nature of the offence. In response to the same, learned counsel for the petitioner submits that the petitioner is on bail in the said case.

6. At this stage, petitioner offers to deposit a sum of Rs. 25,000/- (Rupees Twenty Five Thousand) in the account of Mahavir Cancer Sansthan, Patna bearing Account No. 3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

7. Taking into consideration the fact and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chapra Muffasil P.S. Case No. 99 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.



8. The learned court below is directed to accept the bail bonds of the petitioner showing receipt of deposit of the aforesaid amount in the Mahavir Cancer Sansthan, Patna.

(Soni Shrivastava, J)

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