

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45260 of 2025

Arising Out of PS. Case No.-318 Year-2023 Thana- AMNAUR District- Saran

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Pawan Kumar @ Pawan Kumar Rai Son of Sri Birendra Rai @ Birendra Prasad Yadav R/O Village- Mani Sirisiya, P.S.- Anmour, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Amnour P.S. Case No. 318 of 2023, instituted for the offences punishable under Sections 414, 420, 467, 468, 471 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 103.680 liters liquor was recovered from a sack as well as a motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got



no concern with the alleged recovery of liquor. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Vicki Kumar and the same has got no evidentiary value. It is next submitted that the alleged recovery has not been made from the house of the petitioner. The petitioner is in custody since 11.04.2025 and has got three criminal antecedents in which he is on bail in one case. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 10.04.2024 passed in Cr. Misc. No. 28120 of 2024. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Amnour P.S. Case
No. 318 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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