

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44561 of 2025

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

Pawan Kumar S/O Shivji Bhagat R/O 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. Md. Anzarul Haque Sahara, APP

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

ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier anticipatory bail of the petitioner was rejected vide order dated 07.05.2025 passed in Cr. Misc. No. 27446 2025 (Annexure-1).

3. The petitioner seeks bail in connection with Ahiyapur P.S. Case No. 1249 of 2024, instituted for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that, 732.885 liters liquor was recovered from Mahindra Bolero.

5. 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 is neither named in the FIR nor arrested on the spot. Name of the petitioner has transpired in this case as being owner of the vehicle in question and he has got no knowledge with regard to the nature of goods kept in his vehicle. The petitioner is in custody since 06.06.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

7. 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.

8. 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 Ahiyapur P.S. Case No. 1249 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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