

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51749 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- JAMHOR District- Aurangabad

Pawan Kumar @ Pancham S/o Late Ashok Prasad R/o Dhobi Bigha, Ward No
05, Jamhore, P.S. -Jamhore Distt- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) of Bihar Prohibition & Excise Act, 2018.

3. As per the prosecution case, the police, on secret information that the petitioner is selling illegal liquor, conducted a raid and on search total 15.150 litres of illicit liquor was recovered from the house.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely because he carries two criminal cases of similar nature. It has further been submitted that no incriminating article has been recovered from his possession and the house from



where seizure was made, is a joint property. It is next submitted that the police are the seizure list witness, which also creates doubt with regard to the seizure made. The learned counsel for the petitioner undertakes to deposit a sum of Rs. 5,000/- in the account of Advocate Association of the Patna High Court, Patna.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions, the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on deposition of a sum of Rs. 5,000/- to the Advocate Association of the Patna High Court, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing bail bonds on furnishing bail bond of Rs. 25,000/-(Rupees Twenty Five 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 Jamhore P.S. Case No. 176 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-



(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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