

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64653 of 2025

Arising Out of PS. Case No.-371 Year-2024 Thana- Excise P.S. District- Nawada

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Pawan Kumar, S/o- Baijnath Prasad, R/v- Baad, P.S.- Satgama, Dist-
Koderma, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Nawada Excise P.S. Case No. 371 of 2024 registered for the offences punishable under Sections 30(a)/47 of the Bihar Prohibition and Excise Act.

3. The accusation against the petitioner is involved in trade of illicit liquor, the police on a secret information intercepted a person, who was riding on a motorcycle and in course of search, total three litres of Mahua illicit liquor was recovered.

4. Learned Advocate for the petitioner submitted that the name of the petitioner has been implicated in this case only on account of he being the registered owner of the motorcycle. It is further submitted that in fact the motorcycle, in question,



was stolen from his village in the month of January, 2024, regarding which information was given to Satgama Police Station, however no paper has been brought on record in this connection. There is non-compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023; all the more, the petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposed the bail application and submits that the use of the petitioner's vehicle in the crime clearly speaks about his involvement.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the materials on record, especially the fact the petitioner was not found present at the place of occurrence and the motorcycle, in question, was stolen much prior to the occurrence, though there is no paper in this regard, coupled with the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, 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 learned Exclusive Special Excise Court-II, Nawada in connection with Nawada Excise P.S. Case No. 371 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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