

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69808 of 2025

Arising Out of PS. Case No.-886 Year-2025 Thana- Excise P.S. District- Aurangabad

Pawan Kumar @ Pawan Kumar Singh S/O Late Yamuna Singh, Resident of
Village- Darmiya, P.S.-Rafiganj, Dist- Aurangabad, Pin- 824103

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Sections 30(a), 41(1) and 41(2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 945 litres of spirit was recovered from unpitched road near Soundi village. Co-accused Pramod Paswan apprehended on the spot who disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case merely on the disclosure made by apprehended co-accused. Further submission is that petitioner was not present on the spot and he has no concern with the seized spirit. Nothing has been



recovered from the conscious possession of the petitioner. Except the disclosure statement of apprehended co-accused, there is nothing material against the petitioner. Petitioner has two criminal antecedents out of which one belongs to Excise Act and he is on bail in both the cases. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Aurangabad Excise P.S. Case No. 886 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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