

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87135 of 2025

Arising Out of PS. Case No.-566 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Pawan Kumar Singh S/o Deo Murat Singh R/o Village- Padhauti, P.S.-
Bhagwanpur, District- Kaimur, at present R/o- Suraj Kumar, Lauda Jhanshi,
P.S.- Niyamatabad, District- Chandauli, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

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

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

ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mohaniya P.S. Case No. 566 of 2022 instituted for the offences punishable under Sections 30(a), 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 864 litres of liquor was recovered from pickup vehicle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that the name of the petitioner has transpired in this case merely



as being the owner of the vehicle in question but, as a matter of fact, he had sold the said vehicle to one Jawahir Kushwaha. He further submitted that the petitioner had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 04.11.2025 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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 as also 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mohaniya P.S. Case No. 566 of 2022.

(Rudra Prakash Mishra, J)

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