

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8807 of 2026

Arising Out of PS. Case No.-67 Year-2025 Thana- GHOSWARI District- Patna

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Pawan Sao @ Pawan Sah S/o- Mishri Sao Village- Sakarwar Tola, Ward No-
15 PS- Mokama Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Ghoswari P.S. Case No. 67 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 23 litre illicit country made liquor was recovered from the E-rickshaw in question and co-accused namely, Rahul Kumar, Nitish Kumar and Nishant Kumar were apprehended on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner is not named in FIR. During the



course of investigation, the name of the petitioner has been transpired in this case as the owner of the seized vehicle in question. He further submits that petitioner is not in any way connected with the alleged occurrence. Petitioner was not found at the place of occurrence. He further submits that petitioner has given his E-rickshaw to the apprehended co-accused Rahul Kumar and he has misused the said vehicle in question. Petitioner has no knowledge regarding the carrying of illicit liquor on the alleged date of occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that petitioner is the owner of the said vehicle in question from which 23 litre illicit country made liquor was recovered. Hence, petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, petitioner was not found at the place of occurrence, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into



consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Barh, Patna in connection with Ghoswari P.S. Case No. 67 of 2025, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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