

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25607 of 2026**

Arising Out of PS. Case No.-300 Year-2024 Thana- ARA NAWADA District- Bhojpur

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Pawan Singh @ Pawan Kumar Son of Dharmraj Sah @ Dharmaraj Sah  
Resident of Village- Basara Police Station- Sikarahata District -Bhojpur At  
Present Resident of Shivganj, Ps- Ara Nagar, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Akash Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**

ORAL ORDER

2      17-04-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Ara Nawada P.S. Case No. 300 of 2024, registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, police received secret information about transportation of liquor in a vehicle and the said vehicle was intercepted and two persons started running away from the vehicle and the driver was apprehended. Recovery of 192 litres of country made Mahua liquor was made from the said vehicle. The apprehended coaccused driver named this petitioner and other coaccused who fled away from the vehicle and were involved in trade of illicit liquor.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case and nothing incriminating has been recovered from person or possession of



the petitioner. Petitioner was not apprehended from the spot. Petitioner has been dragged in this case merely on the disclosure statement of the apprehended accused person namely Vikash Kumar with whom petitioner has inimical terms. The petitioner and coaccused Vikash Kumar resides in the same locality and in order to settle the previous dispute, the petitioner has been named for being involved in the present case. There is complete violation of Section 103 of the BNSS and no audio/video recording of the seizure was done in clear violation of Section 105 of the BNSS. Coaccused Vikash Kumar has been granted regular bail vide order dated 19.06.2024 passed in Cr. Misc. No. 41846 of 2024 by a learned Single Judge of this Court and the case of the petitioner is on much better footing. The petitioner is not the owner of the vehicle from which recovery has been made and he has got no concern with the seized liquor. The petitioner has antecedent of one case in which he is on bail. The petitioner is in custody since 26.02.2026.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and



also considering his period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court 1<sup>st</sup>, Bhojpur at Ara/concerned court, in connection with Ara Nawada P.S. Case No. 300 of 2024, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three 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.

**(Arun Kumar Jha, J)**

Anuradha/-

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