

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31505 of 2026

Arising Out of PS. Case No.-127 Year-2026 Thana- RIVILGANJ District- Saran

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Pawan Kumar @ Pawan Prasad S/o Late Chunchun Prasad R/O Village-
Daulatganj, P.S- Bhagwan Bazar, Dist.-Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar Singh

For the Opposite Party/s : Ms. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Mr. Sanjeet Kumar Singh, learned counsel

for the petitioner and Ms. Suman Kumari Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.03.2026 in connection with Revilganj P.S. Case No. 127 of
2026 for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. The case of the prosecution, in brief is that that the
police received a secret information that some persons were
selling illicit country made liquor in Diara area at village Diliya
Rahimpur, acting upon that information police reached on the
spot. In the meantime, six Persons were started to flee away
from there upon seeing the police party. After chase, three
persons were apprehended on the spot and three persons were
succeeded to flee away from the spot. Upon searching the said
place, Police recovered 300 litres country made liquor from the
conscious possession of petitioner which was duly seized.



Thereafter, police seized the illicit liquor and prepared seizure-list in presence of two witnesses from the raiding party.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and the petitioner has been made an accused in the present case on the basis of suspicion. Learned counsel for the petitioner next submits that it appears from the FIR and seizure list that nothing has been recovered from village Diliya Rahimpur, Diara area. Learned counsel for the petitioner next submits that co-accused person, namely, Niraj Kumar Sah has been granted bail by a Coordinate Bench of this Court vide order dated 15.04.2026 passed in Cr. Misc. No. 24242 of 2026 and another co-accused person, namely, Deepak Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 16.04.2026 passed in Cr. Misc. No. 25459 of 2026 and petitioner is in custody since 01.03.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection



with Revilganj P.S. Case No. 127 of 2026, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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