

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
PAWAN SAH VS. THE STATE OF BIHAR
A.B.A. NO. - 625 Of 2026
Chandramandih P.S Case No.-98/2026
ORDER

Present: Sudhir Sinha

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20.06.2026

This anticipatory bail petition has been filed on behalf of petitioner **Pawan Sah** who is apprehending arrest in Chandramandih P.S. Case No. 98/2026 registered u/s- 318(4), 319(2), 3(5) of BNS & 7 E.C. Act, the copy of which is served upon the ld. P.P.

The ld. Counsel for the petitioner has submitted that the petitioner is quite innocent. No other bail petition has been filed on behalf of petitioner either in this Court or before the Hon'ble High Court, Patna except the present one. Earlier the petitioner was made accused in Chandramandi P.S Case No.128/20 and Chandramandih P.S Case No. 72/2022 in which he is on bail. The police has not given notice u/s-35(3) of B.N.S.S to the petitioner. No incriminating material has been recovered from the possession of the petitioner. The petitioner has committed no offence and has been falsely implicated in this case. All sections are not applicable against the petitioner. The petitioner is man of means, there is no chance of his absconding and he is ready to furnish bail bond to the satisfaction of the ld. Court. In such view the ld. Counsel prayed to admit the petitioner to anticipatory bail.

The ld. Addl. PP opposed the prayer for bail.

On perusal of case diary it is clear that the petitioner is F.I.R. named accused. The prosecution case in brief is that as per the informant Mukesh Kumar Block Supply Officer he got secret information on 26/04/26 upon which raid was conducted at the house of Huro Goswami along with the police force of Chandramandi P.S. During the raid, one empty drum and 40 drum of adulterated petrol were found in Huro Goswami's house. In the vacant land outside the house, adulterated diesel 04 drum adulterated petrol 19 drum, empty drum 53, one Bolero pickup taker (vehicle number BR46G8493), one Tullu pump (1/2 HP) etc. were found. During the investigation, chemical powder (Red and orange colour) was found in two cans at the said place. It is possible that it is being used to make adulterated petrol and diesel. On the basis of secret information, inquiry from nearby people, he found that three persons Pawan Sah S/o Sudama Sah village Basukiatand, Rohit Rai s/o Bhola Rai, village Gadi Panchayat Prachi and Awadh Rai s/o Tetu Rai, village Gadi Panchayat Prachi are involved in illegal business. After the raid, the said petrol, diesel and other items were seized in presence of Laxman Prasad Singh, Sub-Inspector, Chandramandi

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P.S and two witnesses. The informant in his re-statement in CD para-3 has stated the same facts. The witnesses in CD-4, 5 and 6 have supported the prosecution case. In CD para-15 there is two criminal cases against the petitioner. The Court finds that the allegations are based merely on suspicion. There is no person in this case who has stated that he was cheated by the accused dishonestly inducing delivery of property. It is alleged that as per CD para-4, 5 and 6 that the villagers told the informant about illegal act of the accused but no such person has been brought in the entire case diary. All the witnesses are police personnel. It is also not clear that the accused cheated someone by personation when no person has come forward that he was cheated by the accused. So far as the offence u/s 7 E.C Act is concerned, the Court does not find any establishment/shop, any licence in the absence of which offence of violation of person under E.C Act is not tenable. It is quite common practice in villages that people keep diesel and petrol for pumping set and generator which is provided by some villagers on a premium. It has also been filed on record that the land upon which the said recovery is shown a Title Suit No. 322/2022 is pending filed by co-accused Huro Goswami that the defendants have purchased this land fraudulently on 23.07.1917. The title and ownership of the said plot is still under challenge.

Therefore in view of the facts and circumstances of this case having regard to the submission of the parties, this anticipatory bail petition is **allowed**. The petitioner **Pawan Sah** in the event of his arrest or surrender is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned Court.

Dictated & Corrected

District & Addl. S.J -II, Jamui
20.06.2026