

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.520 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- RS P.S. District- Madhubani

Ugan Kumar Paswan Son of Ram Kishun Paswan Village -Behat, Ward no. 10, P.S.- RSOP Jhanjharpur, District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Adv.
	:	Ms. Nitu Kumari, Adv.
For the Opposite Party/s	:	Mr. Rana Randhir Singh (APP)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-02-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Jhanjharpur R.S. Police Station Case No. 71 of 2024, disclosing offences under Sections 274, 275, 3(5) of the BNS, 2023 and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.
3. As per the FIR received on 08.09.2024, the police got the secret information that petitioner has kept liquor in the drain situated in front of his house, proceeded towards the place of occurrence and upon seeing the police party, the person carrying a black coloured bag, threw the same into the drain and fled away. Upon search, the police recovered 11.50 liters of



nepali liquor from the bag. The petitioner was identified by the chowkidar.

4. Learned Counsel for the petitioner submits that the petitioner is having no criminal antecedent and he has been made accused on the basis of secret information and his identification by the local chowkidar. The illicit liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner. The liquor has been recovered from a drain which is a common place.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner is having no criminal antecedent, the liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Special Judge, Excise Act, Jhanjharpur,



Madhubani, in connection with Jhanjharpur R.S. Police Station
Case No. 71 of 2024, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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