

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1936 of 2025

Arising Out of PS. Case No.-453 Year-2024 Thana- GHORASAHAN District- East
Champaran

-
1. Indal Paswan Son of Late Dasai Paswan Resident of Village- Bhagwan Pur Kotwa, P.S. -Ghorasahan, District - East Champaran
 2. Sakila Khatoon Wife of Jumai Miyan Resident of Village- Ghorasahan, P.S. -Ghorasahan, District - East Champaran
 3. Jumai Mian Son of Late Hasim Mian Resident of Village- Ghorasahan, P.S. -Ghorasahan, District - East Champaran
 4. Ragni Devi Wife of Indal Paswan Resident of Village- Bhagwan Pur Kotwa, P.S. -Ghorasahan, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 24-02-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Ghorasahan Police Station Case No. 453 of 2024, disclosing offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the FIR, police officer, during patrolling, got the information on 01.12.2024 that some persons were carrying illicit liquor on bicycles and upon this information, he proceeded towards that place of occurrence and upon seeing the



police party, the accused persons started fleeing away after leaving the bicycles. One person was arrested and two persons succeeded in fleeing away. The arrested accused person disclosed the name of the petitioners including their wife and also that they are indulged in sale of liquor.

4. Learned Counsel for the petitioners submits that petitioner no. 4 is wife of petitioner no. 1 and petitioner no. 2 is wife of petitioner no. 3. They have been made accused on the basis of the disclosure of their names by the arrested accused person who was apprehended from the spot along with the bicycles. No incriminating material has been recovered from the conscious possession and or vehicle belonging to the petitioners and referring to paragraph 8, learned counsel submits that three bicycles were recovered by the police which do not belong to the petitioners.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that illicit liquor has not been recovered from the conscious possession and or vehicle belonging to the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.



7. Let the petitioners, above named, in the event of their 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 Exclusive Special, Excise Court No. 3, Civil Court, East Champaran at Motihari, in connection with Ghorasahan Police Station Case No. 453 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

U		T	
---	--	---	--

