

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3007 of 2025

Arising Out of PS. Case No.-198 Year-2024 Thana- Bikramganj Excise District- Rohtas

Surendra Paswan @ Surendra Kumar S/o Mahendra Paswan @ Mahendra
Ram R/o vill - Amarthi Tola, ward no. 14, P.s. - Karakat, Distt. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 15-02-2025 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 Excise Case No. 1102 of 2024, F.I.R. No. 198 of 2024, disclosing offences under Sections 30(a) and 30(c) of Bihar Prohibition and Excise Act, 2018.
3. As per the prosecution story, the allegation against the petitioner is that on 06.12.2024, the police got secret information that some people were manufacturing liquor near the open field (Badhar) of the village and when the informant along with police party proceeded towards the place of occurrence, two persons upon seeing the police party tried to flee away from near the liquor klin but one



persons was arrested at the spot and other succeeded to flee away. The arrested accused person disclosed the name of the petitioner and confessed that he was brought by the petitioner for manufacturing the illicit liquor. From the place of occurrence the police seized 105 liters country made liquor along with utensils, cylinder and other articles used for manufacturing of liquor.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of his name disclosed by the arrested co-accused person namely Lal Babu Paswan. The petitioner has no criminal antecedent. It has further been submitted that liquor and other materials were recovered from an open field which does not belong to the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that petitioner is having no criminal antecedent and the liquor and other articles have not been recovered from the premises belonging to the petitioner and his name transpired on the basis of disclosure made by the arrested co-accused person, 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-I, Rohtas at Sasaram in connection with Excise Case No. 1102 of 2024, F.I.R. No. 198 of 2024, subject to the condition laid down under Section 482 (2) of the B.N.S.S., 2023.

(Anil Kumar Sinha, J)

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