

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4722 of 2025**

Arising Out of PS. Case No.-53 Year-2019 Thana- HARSIDHI District- East Champaran

Mangal Paswan S/O Late Bhikham Paswan @ Bhikhal Paswan Resident of  
village- Govindapur Paswan Toli, P.S- Harsidihi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mrs. Asha Kumari

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      21-02-2025      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. Earlier, the petitioner was granted anticipatory bail by this Court on 16.12.2022 passed in Cr. Misc. No.66988 of 2022 but the petitioner could not surrender on time and thereafter, a modification application was filed before this Court and two weeks' peremptory time was granted to remove the defect(s) but the same could not be removed within time and thus, the said modification application was dismissed for default and in the meantime, the petitioner was arrested.

3. The petitioner seeks for bail in a case registered for the offences punishable u/s 272, 273, 308, 34 of the B.N.S. and 30 (a) of Bihar Prohibition and Excise Act.

4. Altogether 80 liters of country made liquor is said to



have been recovered from the spot. The allegation against the petitioner is that he fled away from the spot.

5. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy. His name transpired in the case only on the basis of suspicion. Petitioner has one criminal antecedent in similar nature of offence and has been in judicial custody since 23.09.2024.

6. Petitioner is agreed to deposit a sum of Rs.5000.00 (Rupees Five Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, Patna, bearing Account No.7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

7. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below, where the case is pending/Successor court, in connection with Harsidhi P.S. Case



No.53 of 2019, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

8. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the Lawyer's Association Welfare Benevolent Fund, Patna.

**(Anjani Kumar Sharan, J)**

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