

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5803 of 2025

Arising Out of PS. Case No.-663 Year-2024 Thana- BIKRAMGANJ District- Rohtas

Santosh Paswan @ Santosh Ram S/o Ramashish Paswan Resident of Village-
Morauna, Police Station- Bikramganj, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bikramganj P.S. Case No.663 of 2024 registered for the offences punishable under Section 30(a) and 30 (c) of the Bihar Prohibition and Excise Act, 2018.

3. A perusal of the First Information Report and the seizure list would go to show that 15 liters of country made liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the house from where the recovery has been made is a joint family property and the said recovery was made at the back of the petitioner. It has also been submitted that no recovery has been made from the physical or conscious possession of the



petitioner. It has further been submitted that there is complete violation of the mandatory provisions of search and seizure which indicates highhandedness of the police. The petitioner was earlier made an accused in two other cases, one of which is of similar nature but learned counsel for the petitioner submits that he is on bail in both the cases.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the abovementioned facts and circumstances, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Bikramganj P.S. Case No.663 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that:-

(i) The petitioner shall cooperate in the investigation/trial.



(ii) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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