

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10171 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- Shahpur P.S. District- Nawada

1. Karu Paswan @ Ravi Kumar Son of Ravindra Paswan Resident of Village- Bajitpur, PS- Sahpur, District -Nawada
2. Sikandra Paswan Son of Arjun Paswan Resident Of Village- Bajitpur, PS- Sahpur, District -Nawada
3. Mithu Manjhi Son of Keshar Manjhi Resident Of Village- Bajitpur, PS- Sahpur, District -Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the State : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Shahpur P.S. Case No. 141 of 2024, registered for the offences punishable under Section 30(a) read with 30(d) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation, 4.5 litre of illicit liquor has been recovered from the cremation ground and as per the further allegation, the petitioner was seen by the *chowkidar* to be fleeing from the place of recovery.



4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that the recovery has been made from the open space and there is no legal basis on record to curtail the personal liberty of the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, Excise No. 2, Nawada, in connection with Shahpur P.S. Case No.-141 of 2024, subject to the conditions as laid down under Section 438 (2)



Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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