

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10256 of 2025

Arising Out of PS. Case No.-257 Year-2024 Thana- PANDAUL District- Madhubani

1. Shatrudhan Paswan Son of Baijnath Paswan R/O- Village- Karpuri Chowk, Pandaul, PS- Pandaul, Distt.- Madhubani
2. Prakash Paswan Son of Baijnath Paswan R/O- Village- Karpuri Chowk, Pandaul, PS- Pandaul, Distt.- Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ratnakar Jha, Advocate
For the State : Mr. Ajay Kumar No. 2, 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 G.R. No. 1634 of 2024 arising out of Pandaul PS. Case No. 257 of 2024 Dated-19.11.2024 registered for the offences punishable under Sections 30(a) and 41 (1) of the Bihar Prohibition and Excise Act.

3. As per allegation, 30 liters of country made liquor has been recovered from the bush near the house of one Prakash Paswan.

4. Learned counsel for the petitioners submit that the



Petitioners are innocent and have falsely been implicated in this case. He further submits that the recovery has not been made from the conscious possession of the petitioners but the same has been recovered from a place open to public and there is no material against the petitioners except the hearsay that the petitioners were seen fleeing away from the place of occurrence.

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 been made accused in one other case.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner 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 Additional District and Sessions Judge-II-



cum-Special Judge, Excise Act, Madhubani, in connection with G.R. No. 1634 of 2024 arising out of Pandaul PS. Case No. 257 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 other than the disclosed one, 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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