

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14208 of 2025

Arising Out of PS. Case No.-277 Year-2024 Thana- PIPRAKOTHI District- East Champaran

Bikash Paswan @ Vikesh Paswan, aged about 31 years, Male, S/o- Naresh Paswan, Resident of village- Baltharwa, PS- Piprakothi, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shanti Bhushan Singh, Advocate
For the Opposite Party : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Pipra Kothi P.S. Case No. 277 of 2024 dated 05.11.2024 registered for the offences punishable under Sections 317(5), 338, 336(3), 340(2) of B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 7.200 litres of foreign liquor is said to have been recovered from the motorcycle which was alleged to be driven by the petitioner and total 540 ML of foreign liquor was recovered from the possession of the co-accused Ravi Kumar.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. He was not arrested on the spot. It is further submitted that the name of the petitioner has surfaced in the present case on the basis of disclosure made by the local people but the name of the local people has not been disclosed in the F.I.R. No incriminating article/stolen property has been recovered either from his conscious possession or from his house. Hence, Section 317(5) of B.N.S. is not made out against the petitioner. He has no concern either with the alleged seized illicit liquor or from the alleged seized motorcycle. There is no statutory compliance of Section 103 of B.N.S.S. The petitioner has six criminal antecedents and in four cases he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 16.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.-I, Civil Court, East Champaran at



Motihari in connection with Pipra Kothi P.S. Case No. 277 of
2024 with further condition:-

I. The petitioner is directed to remain
physically present before the learned court
below on each and every date, failing
which on two consecutive dates without
reasonable cause, the bail bonds of the
petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

