

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13737 of 2025

Arising Out of PS. Case No.-208 Year-2024 Thana- KARAI PARSURAI District- Nalanda

Raj Kishor @ Raj Kumar Paswan @ Raj Kishore Paswan Son of Mahendra Prasad @ Mahendra Paswan Resident of Village- Jyaddun Chak (Joudi Chak), P.S.- Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-05-2025 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. From the perusal of the First Information Report and the seizure list, it would appear that a total recovery of 45 liters of country made liquor has been made from a motorcycle. Two persons namely Om Nath Paswan and Ajay Kumar, who were arrested on the spot, had taken the name of the petitioner as one of the persons who had fled away from the scene of occurrence. Learned counsel for the petitioner submits that the petitioner has nothing to do with the seized liquor and his name



has only surfaced in this case on account of the fact that the seized motorcycle is in the name of his wife. However, it has been submitted that the petitioner is residing at Patna for his livelihood and the motorcycle was left at his matrimonial household and he had no knowledge that the same had been put to some illegal use.

5. Learned APP for the State opposes the prayer for anticipatory bail application on the ground that the petitioner has three criminal antecedent, but the same are not of the same nature.

6. Considering the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Special Judge, Excise, Nalanda at Biharsharif, in connection with Karaiparsurai P.S. Case No. 208 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and and subject to the further condition that:-

(i) the petitioner shall co-operate in the



investigation/trial.

(ii) the learned Court would, however, 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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