

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16005 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- Excise P.S. District- Lakhisarai

Raju Paswan @ Mallu Paswan S/o- Basant Paswan Village- Amarpur Ward
No 5 PS- Medini Chowki, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Excise P.S. Case No. 11C2 of 2025 lodged on 04.01.2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 50 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the alleged recovery has not been made from the petitioner's possession. Counsel submits that petitioner has not been apprehended from the place of occurrence and the



recovery has been made from the petitioner's house. Counsel further submits that petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the alleged illicit liquor has been recovered from the petitioner's house.

6. In response thereof, Counsel for the petitioner submits that there are two different family members who used to reside.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Additional District & Sessions Judge-II-cum-Special Excise Court No.2, Lakhisarai, in connection with Excise P.S. Case No. 11C2 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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