

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16780 of 2025

Arising Out of PS. Case No.-91 Year-2024 Thana- Excise Jhanjharpur District- Madhubani

Prasad Paswan Son of Hari Nandan Paswan, owner of Hero Glamour Motor
cycle Village- Raiyam PS -Bharavsthan Dist -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 02-04-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The present application is for grant of anticipatory bail, in connection with Jhanjharpur Excise P.S. Case No.91 of 2024 for offences under Section 30(a), 32(1) and 32(3) of the Bihar Prohibition and Excise Act, 2016.

3. From the perusal of the First Information Report and also the seizure list, would go to show that a total of 44 liters of country made liquor has been made from a motorcycle, kept in a bag which was tied to the seat of the said motorcycle. It would further appear that upon chase by the Police, the person who was driving the motorcycle, managed to flee away.

4. Learned counsel for the petitioner submits that the petitioner has been made accused in this case since he happens



to be the owner of the said motorcycle. He has further submitted that no recovery has been made from the conscious possession of the petitioner and the seizure list would also show that there is no independent witness to the said seizure.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the above facts and circumstances and that the petitioner has no criminal antecedent, 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 Special Judge, Excise Act, Jhanjharpur, in connection with Jhanjharpur Excise P.S. Case No.91 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 subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

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