

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14799 of 2025

Arising Out of PS. Case No.-430 Year-2024 Thana- KESARIA District- East Champaran

Ganesh Paswan Son of Amrit Paswan @ Imrit Paswan Resident of Village-
Kesariya Purani Bazar Ward No. 10, Kesariya, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
in a case registered under Sections 274, 275 of the Bharatiya
Nyaya Sanhita and Section 30(a) of Bihar Excise Act.

3. As per the prosecution case, 24 liters illicit liquor
was recovered from the hut situated behind the house of the
petitioner.

4. Learned counsel for the petitioners submits that
petitioner is innocent and has falsely been implicated in this
case. Further submission is that the hut in question does not
belong to the petitioner. Petitioner has no concern with the
seized liquor or with co-accused Awdesh Sahani. The hut in
question is an open hut which is accessible to general public. It



is next submitted that seizure list has not been prepared in accordance with the mandatory provision of law. Except the identification by the local *Chowkidar*, there is nothing material against the petitioner. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Excise Court No. III, Civil Court, East Champaran at Motihari in connection with Kesariya P.S. Case No. 430 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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