

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14398 of 2025

Arising Out of PS. Case No.-840 Year-2024 Thana- Excise P.S. District- East Champaran

Vikesh Paswan, aged about 40 years, Male, Son of Naresh Paswan, Resident
of Village-Baltharwa P.S.- Piprakothi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 13-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 840 of 2024 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2018.

3. As per the prosecution case, on search, 02.880 liters
foreign liquor and 21.600 liters Nepali Kasturi total 24.480
liters of liquor has been recovered from the hut.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case merely on the basis of dirty
village politics. He submits that the name of the petitioner



surfaced in this case only on the basis of confessional statement of apprehended person namely Bhrigun Prasad. He further submits that no recovery has been made from the conscious possession of the petitioner. He next submits that there is no any independent witness of the seizure list. He lastly submits that except confessional statement of the apprehended person, no other material has come against the petitioner to connect in this case. Petitioner has got six criminal antecedent is in custody since 21.12.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the case diary, FIR, criminal antecedent and the impugned order of the learned Exclusive Special Excise, Court No. 02, East Champaran, Motihari dated 18.01.2025, it appears that petitioner's name surfaced in this case only on the basis of confessional statement of apprehended persons namely Bhrigun Prasad. No incriminating articles has been recovered from the conscious possession of the petitioner, so I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Exclusive Special Excise Court No. 2, East Champaran at
Motihari in connection with Excise P.S. Case No. 840 of 2024.

(Ramesh Chand Malviya, J)

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