

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22904 of 2025

Arising Out of PS. Case No.-219 Year-2024 Thana- KUNDWACHAINPUR District- East
Champaran

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Chandra Bhushan Paswan @ Chandra Bhushan S/o Ramuras Paswan @
Ugras Paswan R/o Barharwa Fateh Muhamdpur Chainpur, P.S.- Kundwa
Chainpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohit Raj
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-04-2025 Heard the parties

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Kundwa Chainpur P.S. Case No. 219 of 2024 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 31.200 liters of country made liquor.

4. It is submitted by learned counsel appearing



on behalf of the petitioner that as alleged recovery was made from the cattle house of this petitioner which is an open premises accessible by general public. It is further submitted that the legal provisions as available under Section 103(4) of BNSS, regarding search of premises also not appears followed in the present case making entire search and seizure doubtful on its face. While concluding argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as, recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of this petitioner who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned Exclusive
Special Excise Court no. 3, East Champaran, Motihari/
concerned Court, where the case is pending in connection
with Kundwa Chainpur P.S. Case No. 219 of 2024,
subject to the conditions as laid down under Section
482(2) of BNSS.

(Chandra Shekhar Jha, J)

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