

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21700 of 2025

Arising Out of PS. Case No.-368 Year-2024 Thana- Excise P.S. District- Supaul

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Amit Kumar @ Amit Kumar Paswan @ Amit Paswan Son of Late Ramnath
Paswan Resident of village -Malhad, ward no 16, PS- Supaul, District- Supaul
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Supaul Excise P.S. Case No. 368 of 2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to have in possession of 46.500 litres of illicit liquor and engaged in illegal trading/manufacturing of illicit liquor.

4. Learned counsel appearing on behalf of the petitioner submitted that alleged illicit liquor appears to be made from the house of co-accused Pawan Kumar Yadav and



out of his confessional statement, the name of petitioners transpired in the present case. It is submitted that recovery of illicit liquor not appears to be made from conscious physical possession of this petitioner. It is pointed out that petitioner found involved in four criminal cases of similar nature, wherein he is on bail.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima-facie* not appears to be made from conscious physical possession of this petitioner, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise – II, Supaul in connection with Supaul Excise P.S. Case No. 368 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha



Sanhita (in short “B.N.S.S.) with further condition:

(i) That petitioner shall not indulge in similar nature of case till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(Chandra Shekhar Jha, J)

Rajeev/-

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