

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23588 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- AMJOR District- Rohtas

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1. Uday Paswan Son of Late Shrawan Paswan @ Shravan Pasawan Resident of Village -Jagodih Police Station- Amjhor District -Rohtas at Sasaram
 2. Kundal Paswan @ Satendra Paswan son of Dashrath Paswan Resident of Village -Jagodih Police Station- Amjhor District -Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Asha Devi, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard Learned Counsel for the petitioners and
Learned A.P.P for the State.

2. Learned counsel for the petitioners submits that during pendency of the bail application, petitioner no.1 has been arrested and bail application of this petitioner no.1 has become infructuous. As such, he is not pressing the bail application of petitioner no.1 namely, Uday Paswan.

3. The petitioner no.2 is apprehending arrest in connection with Amjhor P.S. Case No. 14 of 2025 lodged on 11.02.2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.



4. As per the prosecution, FIR has been lodged against two named accused persons (including the present petitioners). Total recovery of 38 litres of illicit liquor has been made which is the subject matter of the present case.

5. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the criminal antecedent of the petitioner no.2 is not clean as there is one case pending against him which is also of Excise Act in which, he is on bail.

6. Learned APP for the State opposes the prayer for bail of the petitioner no.2 and submits that criminal antecedent of this petitioner no.2 is not clean and this aspect must be taken into consideration.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner no.2. Accordingly, the prayer for anticipatory bail of petitioner no.2 namely, Kundal Paswan @ Satendra Paswan is hereby rejected.

8. It is directed to the petitioner no.2 to surrender before the Trial Court within a period of 6 weeks from today. In case, he surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day considering the ingredients of Excise Act without



being prejudice that the anticipatory bail of petitioner no.2 has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

9. Hence, this bail application is hereby disposed off.

(Dr. Anshuman, J)

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