

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22075 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- BACHHWARA District- Begusarai

1. Sachin Kumar @ Sachin Kumar Paswan @ Sachin Paswan S/O Suresh Paswan R/O Village- Rajapur, P.S- Bachhwara, Distt.- Begusarai.
2. Sunil Kumar @ Sunil Paswan S/O Aklu Paswan R/O Village- Rajapur, P.S- Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-04-2025 Learned counsel for the petitioners submit that during the pendency of the petition, the petitioner no.2 namely Sunil Kumar @ Sunil Paswan has been arrested and as such he may be permitted to withdraw the anticipatory bail application of the said petitioner.

2. The anticipatory bail of the petitioner no.2 namely Sunil Kumar @ Sunil Paswan stands rejected.

3. Heard the parties.

4. The petitioner no. 1 Sachin Kumar @ Sachin Paswan @ Sachin Kumar Paswan is apprehending arrest in connection with Bachhwara P.S. Case No. 31 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act,



2016 lodged on 02.02.2025 by the informant, Rahul Paswan.

5. As per the prosecution story, the informant alleged that on secret information about manufacturing of the illegal country made liquor, the Police reached the place. No one was there, 20 liters of country made wine recovered from the bushes. This led to the FIR.

6. Learned counsel for the petitioner submits that a perusal of the FIR would show that nothing has been recovered from his conscious possession nor he has criminal antecedent. Last submission is that the petitioner is sole bread earner of the family.

7. Learned APP opposes the prayer submitting that his name has cropped during the investigation.

8. Taking into account the aforesaid submissions of the parties as also that the petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

9. Let the petitioner no. 1 Sachin Kumar @ Sachin Paswan @ Sachin Kumar Paswan be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each in connection with Bachhwara P.S. Case No. 31 of 2025 to the satisfaction of learned Exclusive Special Excise Judge-I, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner no. 1 Sachin Kumar @ Sachin Paswan @ Sachin Kumar Paswan who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 1 Sachin Kumar @ Sachin Paswan @ Sachin Kumar Paswan shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner no. 1 Sachin Kumar @ Sachin Paswan @ Sachin Kumar Paswan shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner no. 1 Sachin Kumar @ Sachin Paswan @ Sachin Kumar Paswan shall co-operate in the investigation and make himself available to the police as and when required;



(iv) the petitioner no. 1 Sachin Kumar @ Sachin Paswan @ Sachin Kumar Paswan shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no. 1 Sachin Kumar @ Sachin Paswan @ Sachin Kumar Paswan shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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