

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21873 of 2025

Arising Out of PS. Case No.-641 Year-2024 Thana- Excise P.S. District- Darbhanga

Pradeep Paswan, Aged about 65 Years, Male, Son of Late Prithvi Paswan,
Resident of Village- Pittho Ward No. 11, P.S.- Kewati, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-04-2025 Heard Mr. Saurav Anand, learned counsel

appearing on behalf of the petitioner and Dr. Indihar Kumari,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Excise P.S. Case No. 641 of 2024 registered for the offence
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Act as amended up-to-date.

3. Allegation is of recovery of altogether 36 litres of
country-made liquor from a backpack and a vehicle bearing
Registration No. BR07AH 9484.

4. Learned counsel appearing on behalf of the
petitioner submits that since the petitioner is the owner of the
aforesaid vehicle, he has been roped in the present case.
Petitioner has no concern with the alleged seized liquor nor he is



involved in trade of liquor in any manner. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the allegation made in the FIR, as well as, the quantity of recovered illicit liquor, which is 36 litres and the fact that since the petitioner is the owner of the aforesaid vehicle, he has been roped in the present case. Petitioner has no concern with the seized liquor nor he is involved in trade of liquor in any manner. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of



four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge- I (Excise Act), Darbhanga, in connection with Excise P.S. Case No. 641 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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