

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22937 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- RUNNISAI DPUR EXCISE District-
Sitamarhi

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Kishun Paswan @ Kishnu Paswan @ Sri Kishun Paswan S/O Ram Bhagat
Paswan R/O village - Bhapura, ward no. -13 @ Bhimpur ward no. -13, P.S. -
Runnisaidpur, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Runnisaidpur P.S. Case No. 41 of 2024, lodged on 20.03.2024, under Sections 30(a) and 32(c) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, the subject matter of the present case is 123.48 foreign liquor which has been recovered from a hut which is alleged to be of the petitioner as from the seizure list.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that nothing has been recovered from his



possession and therefore, there is no ingredient against the petitioner. He further submits that the F.I.R. indicates that this hut belongs to the petitioner but he specifically stated in paragraph 14 of the F.I.R. that the said hut from which the alleged recovery has been made does not belong to him. Counsel further submits that the antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Exclusive Special Excise Court No.-2, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 41 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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