

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27250 of 2025

Arising Out of PS. Case No.-84 Year-2025 Thana- BABUBARHI District- Madhubani

Bachan Paswan @ Bachan Dev Paswan Son of Achak Paswan Village-
Mohanpur PS -Babubarhi, District Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-05-2025 Heard Mr. Vinod Kumar, learned counsel for the
petitioner and Mrs. Asha Kumari, learned APP.

2. The petitioner apprehends his arrest in connection with Babubarhi P.S. Case No. 84 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act lodged on 12.03.2025 by the informant, Neha Kumari.

3. As per the prosecution story, the Police upon secret information, raided the house of the petitioner but behind the house, 20 litre country made liquor recovered/seized. This led to the FIR.

4. It is the case of the petitioner that nothing has been recovered from his conscious possession rather from the back of the house for which no role can be attributed to him, he do not have criminal antecedent and shall be diligently appearing in



trial, if granted relief.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the recovery/seizure is from behind the house of the petitioner.

6. Considering the submissions of the parties as also that the petitioner do not have criminal antecedent and nothing has been recovered from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District & Addl. Sessions Judge-II-cum-Spl. Judge, Excise Act, Madhubani in connection with Babubarhi P.S. Case No. 84 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner 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 shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner 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 shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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