

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33352 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- SONEPUR District- Saran

1. Rambabu Paswan S/o- Shankar Paswan Village- Rahimpur, P.s. Sonepur, Dist- Saran at Chapra
2. Dhananjay Paswan S/o- Devi Paswan Village- Rahimpur, P.s. Sonepur, Dist- Saran at Chapra
3. Naresh Ray S/o- Kansi Ray Village- Rahimpur, P.s. Sonepur, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 20-05-2025 Heard the parties

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Sonepur P.S. Case No. 161 of 2025 registered for the offences punishable under Section 30(a) of the Excise Act.

3. The allegation against the petitioners is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 225 liters of country made liquor.

4. It is submitted by learned counsel appearing



on behalf of the petitioners that as per seizure list the recovery of illicit liquor was made from “*diara*” (river bed) which is an open place and accessible by general public. It is submitted that in view of same it can’t be said that recovery of illicit liquor was made from the physical possession of this petitioners. It is also pointed out that petitioner nos. 1 and 3 found involved in two more criminal cases, where they are on bail and petitioner no. 2 is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of the fact, as recovery of illicit liquor *prima-facie* not appears to be made from the conscious physical possession of petitioners, accordingly all above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned



Special Judge Excise 2nd Saran at Chapra / concerned
Court, where the case is pending in connection with
Sonepur P.S. Case No. 161 of 2025, subject to the
conditions as laid down under Section 482(2) of BNSS,
subject to further condition:-

“(i) That petitioners shall not
involve in the similar nature of offence
till the conclusion of trial, failing which
the State shall be at liberty to move
before the Trial Court itself for the
cancellation of bail bond of the
petitioners.”

(Chandra Shekhar Jha, J)

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