

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33991 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- FATUA District- Patna

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Satish Paswan @ Satish Kumar S/o Ramesh Paswan @ Munna Paswan R/o
Village- Kalyanpur, P.S.- Fatuha, District- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Jiban Pd Singh, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 26-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Fatuha P.S. Case No. 178/2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 8.280 liters foreign liquor from the house of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that alleged recovery was made from the second floor inside the room of the petitioner and the said house was joint house and the petitioner cannot be held



liable for the same. The petitioner bears no criminal antecedent. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern with the seized liquor. Seizure list has not been prepared as per law. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City, Patna in connection with Fatuha P.S. Case No. 178/2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S.



7. The application stands allowed.

(Alok Kumar Pandey, J)

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