

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33713 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- BISFI District- Madhubani

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Rahul Paswan @ Rahul Kumar Paswan S/o Ganesh Paswan R/o vill -
Sindhiya Gote, P.S.- Bisfi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Madhumita Singh, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-05-2025 Heard Ms. Madhumita Singh, learned counsel for the

petitioner and Mr. Abhay Kumar, learned APP for the State.

2. The petitioner is apprehending arrest in connection
with Bisfi P.S. Case No. 36 of 2025 instituted under Section
30(a) of the Bihar Prohibition and Excise Act lodged on
02.03.2025 by the informant, Tinku Kumar Singh.

3. As per the prosecution story, the informant alleged
on secret information, the house of the petitioner was raided and
there is recovery/seizure of 7.230 liters of foreign liquor. This
led to the FIR.

4. Learned counsel for the petitioner submits that it is
joint property, nothing has been recovered from his conscious
possession and he do not have criminal antecedent.

5. Learned APP opposes the prayer.



6. Considering the submissions of the parties as also that the recovery/seizure is from the house and not from his conscious possession, he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Bisfi P.S. Case No. 36 of 2025 to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise Act, Madhubani subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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 his bail bonds.

(Rajiv Roy, J)

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