

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34442 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- RAHIKA District- Madhubani

Methar Paswan Son of Late Utim Paswan Resident of village - Jagatpur, P.S.-
Rahika, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehend his arrest in connection with Rahika P.S. Case no. 65 of 2025 for the offence registered under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 09.03.2025 by the informant Basant Kumar Singh.

3. As per the prosecution story, the informant alleged that on a secret information, the place was raided and there is recovery/seizure of 52.290 liter foreign liquor near the house of the petitioner. This led to the FIR.

4. Learned Counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner and/or his house, rather a distance from his place of business. He has been implicated only because of his criminal



antecedents. Further, The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs.10,000/- to the District Legal Services Authority, Madhubani for beautification/putting up flower pots in the Civil Court Campus of Madhubani Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the petitioner has criminal antecedents.

6. Considering the submissions of the parties and also the recovery which is not made from the conscious possession of the petitioner, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Madhubani for beautification/putting up flower pots in the Civil Court Campus of Madhubani Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA..

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



bond bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned learned District and Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Rahika P.S. Case No. 65 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 bond.

8. A copy of the order be sent to the Principal District
and Sessions Judge, Madhubani for his/her perusal and needful.

(Rajiv Roy, J)

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