

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35291 of 2025**

Arising Out of PS. Case No.-55 Year-2025 Thana- BIND District- Nalanda

Shaulej Paswan @ Sholej Paswan @ Solej S/o Bharat Paswan R/o vill -  
Rasalpur, P.S.- Bind, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Satya Prakash, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      28-05-2025                      Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bind P.S. Case No. 55/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 49.860 liters foreign liquor near old toilet situated at Milki Khandha. Apprehended co-accused Madho Paswan disclosed the name of the petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. Except confessional statement of co-accused, there is



nothing on record to demonstrate the complicity of the present with the alleged occurrence. The petitioner bears one criminal antecedent in which he is on bail. The petitioner was not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioner or his house. The petitioner has no concern with the seized liquor. The petitioner is not in any way connected with the alleged occurrence. 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, 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 District and Additional Sessions Judge-V cum Special Judge Excise-I,



Nalanda at Bihar Sharif in connection with Bind P.S. Case No. 55/2025, 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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