

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37227 of 2025

Arising Out of PS. Case No.-381 Year-2025 Thana- Excise P.S. District- Aurangabad

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Ashok Paswan son of Munna Paswan Resident of Village- Wajidpur, P.S.-
Madanpur, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-06-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Aurangabad Excise Sadar P.S. Case No. 381 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 09.04.2025 by the informant, Sudhir Kumar.

3. As per the prosecution story, the Police upon secret information, raided the place and recovered/seized 30 liters of country made liquor. The locals gave the name of the accused who escaped, the petitioner being one of them. This led to the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from an open agriculture land and not from the conscious possession of the petitioner and only because of



criminal antecedent, got implicated.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also the recovery that has been taken from an open place, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. 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 Aurangabad Excise Sadar P.S. Case No. 381 of 2025 to the satisfaction of learned Special Judge, Excise Court No.II, Aurangabad 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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