

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46997 of 2025

Arising Out of PS. Case No.-1042 Year-2024 Thana- Excise P.S. District- Aurangabad

Mantu Kumar Paswan S/o Ram Lakhan Paswan Resdient of Village- Paswan
Mohalla, P.S.- Amba, District- Auranagabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 14-10-2025 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with
Aurangabad Excise P.S. Case No. 1042/24 instituted under
Sections 30(a), 32(3) of the Bhartiya Nagrik Suraksha Sanhita,
2023.

3. As per prosecution case, 15 liters of illicit liquor was
recovered from the motorcycle of the petitioner and the sons of
the petitioner namely Sajan Kumar and Sunny Kumar were
arrested at the place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case merely because he is the registered owner of the vehicle in
question. Petitioner was neither driving the vehicle nor any



incriminating article has been seized from his conscious possession and he was also not present at the spot. Learned counsel further submits that without the knowledge and consent of the petitioner, these accused persons who are sons of petitioner have taken away his motorcycle and they were carrying illicit liquor on the said motorcycle. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-II, Excise, Aurangabad (Bihar) in connection with Aurangabad (Excise) P.S. Case No. 1042/2024, subject to the conditions as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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