

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41834 of 2025

Arising Out of PS. Case No.-136 Year-2025 Thana- HASPURA District- Aurangabad

1. Brajesh Kumar S/o Doman Paswan Resident of Village- Chandi, P.S.- Haspura, District- Aurangabad
2. Doman Paswan S/O Late Shiv Nandan Paswan Resident of Village- Chandi, P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Advocate General Bihar Patna

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-07-2025 Heard learned counsel appearing on behalf of the petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 60 litres of country made liquor was recovered from agricultural field near the water canal.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and has committed no offence. No incriminating article has been recovered from conscious possession of these petitioners and they have falsely been implicated in this case merely on



suspicion. The alleged illicit liquor has been recovered from an open place, which is accessible to one and all. Petitioners have got one criminal antecedent of similar nature in which they are already on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the nature of accusation and the fact that no incriminating article has been recovered from conscious possession of this petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged 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 Excise II, Aurangabad in connection with Haspura P.S. Case No. 136 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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