

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40443 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- Kharagpur District- Munger

=====

Fantush @ Fantu Paswan @ Sunil Kumar S/O Late Sushil Paswan R/O Vill.-
Sadov, P.s.- Haveli Kharagapur, Dist.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 15-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kharagpur P.S. Case no. 33 of 2025 instituted for the offence under Section 30 (a) of the Bihar Prohibition of Excise Act.

3. Prosecution case relates to recovery of 40 litres illicit liquor in polythine pouch from a field. After seeing the police party, two accused persons managed to run away. Local persons identified the accused persons and disclosed their name as Fantush Paswan (petitioner) and one another.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery or with the place of occurrence. Petitioner is differently able person with 70% disability, who needs support even for walking. The name of the petitioner has been disclosed in this case by the local villagers before the police, which has no evidentiary value in the eye of law. Provision of Section 103 of the B.N.S.S. has not been followed by the police officials while preparing the seizure list. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Kharagpur P.S. Case no. 33 of 2025, he will be enlarged on 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 Exclusive
Special Court of Excise-1, Munger subject to the conditions
as laid down under section 482 of the BNSS.

(S. B. Pd. Singh, J)

sushma/-

U			
---	--	--	--

