

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43889 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- BARHARA District- Bhojpur

Mahish Paswan @ Teju Paswan S/o Late Hawaldar Paswan R/o Vill-
Mohanpur Karza, P.S.- Barhara, Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Barhara P.S. Case No. 32 of 2025, dated 26.02.2025, lodged under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution, total recovery of six litres illicit country made liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner's name has figured in this case solely by virtue of the confessional statement of the chowkidar. It has been categorically mentioned in paragraph 9 of the bail petition that there was an ongoing dispute between the petitioner and the local chowkidar, who used to insult the petitioner on several occasions and had also threatened to teach



him a lesson. Counsel also submits that the criminal antecedent of the petitioner is not clean, as one criminal case is pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, and considering the quantity of recovery, let the above-named petitioner be released on anticipatory bail in the event of arrest or surrender before the Trial Court within a period of four weeks from today, subject to the satisfaction of the Trial Court that the petitioner is not absconding in Barhara P.S. Case No. 642 of 2023. The petitioner shall furnish a bail bond of Rs. 30,000/- (Rupees Thirty Thousand), as mentioned in Section 2(1)(d) of the BNSS, 2023, to the satisfaction of Exclusive Special Excise Court-I, Bhojpur at Ara, in connection with Barhara P.S. Case No. 32 of 2025, subject to the conditions laid down under Section 482(2) of the BNSS, 2023.

7. It is made clear that if his name figures in any future case, no liberal attitude shall be adopted towards him.

(Dr. Anshuman, J.)

Aman Kumar/-

U			
---	--	--	--

