

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42259 of 2025

Arising Out of PS. Case No.-165 Year-2022 Thana- CHHATAUNI District- East Champaran

Baban Paswan S/o Jagnath Paswan Resident of Village - Bara Bariyarpur
Ward no 6, P.S.- Chhatauni, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 04-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehend his arrest in connection
with Chhatauni P.S. Case no.165 of 2022 registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. A perusal of F.I.R and seizure list would go to
show that a total of 70 liters of illicit liquor was recovered
beside the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. There was no
independent witness to the seizure list and no recovery has been
made from physical or conscious possession of the petitioner.
The said place of recovery is an open space and accessible to
everyone. The petitioner undertakes to cooperate in the



case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that petitioner has one criminal antecedent. In response, learned counsel for the petitioner submits that he is on bail in the said case.

6. In view of the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Chhatauni P.S. Case no.165 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer of the present case on an interval of every 15 days till investigation is concluded against him.



(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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