

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.42719 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- BABUBARHI District- Madhubani

Ghuran Paswan S/O Late Lakhi Paswan R/o Village - Ghonghaur, P.S - Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 07-08-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehend his arrest in connection with Babubarhi P.S. Case no.69 of 2025 registered under sections 30(a) and 41 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, a secret information having been received that the petitioner along with others involved in the business of liquor, the police party conducted raid and a total of 4 liters of mahua liquor was recovered from a motorcycle bearing Registration No. UP16AW1853 which was parked in courtyard of the house.

4. Learned counsel for the petitioner submits that petitioner is not the owner of the seized motorcycle. No recovery has been made from the physical conscious possession of the petitioner and name of the petitioner has transpired on the disclosure made by local *chowkidar* only on suspicion. Learned



counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the aforesaid facts and circumstances 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 Babubarhi P.S. Case no.69 of 2025 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.

(Soni Shrivastava, J)

Harsh/-

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