

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43316 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- BEERPUR District- Begusarai

1. Vikram Paswan @ Bikram Paswan S/o Shatrughan Paswan @ Shatrudhan Paswan R/o Village- Pipra Dodraj, (Pipra), ward no. 8, P.S.- Teghra, Distt.- Begusarai
2. Deepak Paswan @ Deepak Kumar S/o Shatrughan Paswan @ Shatrudhan Paswan R/o Village- Pipra Dodraj, (Pipra), ward no. 8, P.S.- Teghra, Distt.- Begusarai
3. Nitish Kumar @ Ritesh Kumar S/o Bihari Paswan R/o vill - Nonpur (Nonepur), ward no. 1, P.s.- Teghra, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Birpur P.S. Case No.246 of 2024 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per prosecution case, as per secret information it came to fore that petitioners were engaged in preparation of illicit liquor and 30 litre country made liquor was recovered from the place of occurrence.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners no.1 bears criminal antecedent of two cases in which he is on bail and petitioners no. 2 and 3 bear no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioners. He further submits that the name of the petitioners surfaced in the case on the basis of secret information but the source of secret information has not been divulged in the FIR, which questions the authenticity of the prosecution story. He further submits that recovery was made from the open place and petitioners cannot be held liable for the alleged recovery. Seizure list has not been prepared as per law. In the light of aforesaid facts and circumstances of the case, no offence is made out against the petitioners.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that there is alleged recovery of 30 litre country made liquor from the place of occurrence and petitioners cannot escape from the liability of the alleged recovery.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the



petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Begusarai in connection with Birpur P.S. Case No. 246 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S

(Alok Kumar Pandey, J)

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