

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46785 of 2025

Arising Out of PS. Case No.-121 Year-2025 Thana- BARUN District- Aurangabad

Upendra Paswan S/o Ramayan Paswan R/o Village- Simra, P.S.- Barun,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Barun P.S. Case No. 121 of 2025, GR No. 153 of 2025 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 197.58 litres of liquor was recovered from tempo and the motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. It is further submitted that the name of the petitioner has transpired as being the owner of the auto



vehicle from which the alleged recovery has been made but he has no knowledge regarding the nature of goods loaded in the vehicle. Learned counsel further submitted that, prima-facie, no case is made out against the petitioner. The petitioner has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barun P.S. Case No. 121 of 2025, GR No. 153 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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