

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53485 of 2025

Arising Out of PS. Case No.-152 Year-2024 Thana- BARGAINIA District- Sitamarhi

Shyam Paswan Son of Rajendra Paswan Resident Of Village -Gandhinagar Ps
-Bairgania District -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Sections 30(a) and 30(c) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 80.7 litres of illicit liquor kept in two bags was recovered from the motorcycle. Two persons were managed to flee away from the spot taking advantage of darkness.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to disclosure of local *Chaukidar*. Further submission is that petitioner has no concern with the seized illicit liquor. Petitioner is neither the driver nor the owner of the seized



motorcycle. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has one criminal antecedent in which he is on bail. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Sitamarhi in connection with Bairgania P.S. Case No. 152 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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