

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57411 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- EXCISE ROSERA District- Samastipur

Shushil Paswan @ Shushil Kumar Paswan S/O Rajo Paswan, Resident of
Village- Rampur Pagra, P.S- Dalsinghsarai, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-09-2025 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 44(1) of Bihar Prohibition and Excise
Act.

3. As per the prosecution case, there is recovery of 47
litres of illicit country made liquor from the motorcycle of the
petitioner. Two persons apprehended on the spot namely,
Keshav Kumar and Aman Ji who disclosed that Shushil Paswan
S/o Upendra Paswan, R/o Nathudwar handed over the said
motorcycle and told them to deliver the said illicit liquor near
Rosera Bus stand.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case being the owner of the seized vehicle. Further submission
is that on the alleged date of occurrence, the vehicle in question



was taken by the brother-in-law of the petitioner, namely, Shushil Paswan S/o Upendra Paswan for urgent work and without knowledge and consent of the petitioner, his vehicle was being used for transportation of illicit liquor. It is submitted that petitioner has no concern with the seized illicit liquor and nothing has been recovered from the conscious possession of the petitioner. Petitioner has no criminal antecedent and he 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 Special Judge, Excise-II, Samastipur in connection with Excise Rosera P.S. Case No. 150 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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