

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54465 of 2025

Arising Out of PS. Case No.-242 Year-2020 Thana- KANKARBAG District- Patna

Mantu Paswan @ Mithu Paswan S/O Kapil Paswan @ Loha Paswan Village-
Jagdish Hospital, Doctors colony, Jhoparpartti, P.S.- Kankarbagh, Dist.-
Patna. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Khushi Awadh, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

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. Petitioner apprehends arrest in connection with
Kankarbagh P.S. Case No.242 of 2020 instituted under Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret
information about petitioner and other co-accused persons
keeping illicit liquor in pond like place near some hutment. A
raid was conducted and recovery of 205.400 litres of country
made liquor was made from the said place.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing incriminating has been recovered from
possession or house of the petitioner. The alleged recovery has
been made from open place accessible to all. Petitioner has no



concern with the seized illicit liquor. It is further submitted that similarly situated co-accused person, namely, Ashok Paswan @ Ashok Kumar has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 02.04.2025 passed in Cr.Misc.No.17761 of 2025. 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 aforesaid facts and circumstances of the case and submissions of learned counsels 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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise 1st, Patna in connection with Kankarbagh P.S. Case No.242 of 2020 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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