

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55678 of 2025

Arising Out of PS. Case No.-234 Year-2025 Thana- BABUBARHI District- Madhubani

Shibu Paswan @ Shiv Nath Paswan S/o Gulten Paswan, R/o Village-
Bathuaha, P.S.- Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh-1, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Babubarhi P.S. Case No.234 of 2025 corresponding to G.R.
No.766 of 2025 instituted under Section 30(a) of Bihar
Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 2
liter country made liquor from the house of petitioner and it is
alleged that the petitioner fled away from the spot after seeing
the police team.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to village politics. He further submits that petitioner
has no concern with the alleged recovered liquor. Learned
counsel submits that the house of petitioner from where



recovery is made is an abandoned house and someone had hidden the illicit wine due to previous enmity. He further submits that no incriminating article has been recovered from the conscious possession of petitioner. Learned counsel submits that 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 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 Judge (Excise Court), Madhubani in connection with Babubarhi P.S. Case No.234 of 2025 corresponding to G.R. No.766 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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