

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60330 of 2025

Arising Out of PS. Case No.-208 Year-2020 Thana- CHHATAUNI District- East Champaran

1. Chhotelal Paswan S/O Late Chandradev Paswan @ Late Chanar Dev Paswan R/O Bara Bariyarpur, P.s.- Chhatauni, District- East Champaran
2. Lakhindra Paswan S/O Late Ramdev Paswan R/O Bara Bariyarpur, P.s.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Chhatauni P.S. Case No. 208/2020 registered for the offences punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there was alleged recovery of 08 liters country made mahua wine behind the house of petitioner no. 1 and 13 liters country made illicit wine was also recovered behind the gate of the house of petitioner no.2. Local women disclosed the names of petitioners who



involved in selling of illicit liquor.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. Except disclosure of local women, there is nothing on record to demonstrate the complicity of the present with the alleged occurrence. The petitioners bear no criminal antecedent. The petitioners were not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioners. The petitioners have no concern with the seized liquor. He further submits that the petitioners are not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court of learned Special Judge, Excise Court No.1, Motihari, East Champaran in connection with Chhatauni P.S. Case No. 208/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

amitkumar/-

U		T	
---	--	---	--

