

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58968 of 2025

Arising Out of PS. Case No.-338 Year-2025 Thana- HISUWA District- Nawada

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1. Prakash Kumar Son of Jai Paswan @ Jaynandan Paswan Resident of Village - Tungi, P.S.- Hisua, District - Nawada.
 2. Akash Kumar Son of Jai Paswan @ Jaynandan Paswan Resident of Village - Tungi, P.S.- Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-09-2025 Heard Mr. Man Mohan Kumar, learned counsel

appearing on behalf of the petitioners and Mr. Kumar Ranjit

Ranjan, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Hisua P.S. Case No. 338 of 2025 registered for the
offence(s) punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, 11 litres of
illicit liquor was recovered near the door of the house of the
petitioners.

4. Learned counsel appearing on behalf of the
petitioners submitted that petitioners are innocent and have



falsely been implicated in the present case. It is further submitted that recovery of illicit liquor has been made from outside the house of the petitioners, which is open space and is easily accessible by anyone. Petitioners have no concern with the seized liquor. Petitioners have clean antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the recovery of illicit liquor has been made outside the house of the petitioners, which is an open space and is easily accessible by anyone, I am of the opinion that petitioners, who are having clean antecedents, have, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-1, Nawada / Concerned Court in connection with Hisua P.S. Case No. 338 of 2025, subject to the conditions as



laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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