

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62366 of 2025**

Arising Out of PS. Case No.-29 Year-2019 Thana- TURKAULIYA District- East Champaran

Raj Kumar Paswan S/o- Bipat Paswan @ Rajendra Paswan Resident of  
village- Jaisinghpur Tola, Madhopur, P.S.- Turkauliya, District- East  
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      30-08-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has earlier moved before a Co-ordinate Bench of this Court with a prayer for anticipatory bail which was allowed vide order dated 19.04.2019 passed in Cr. Misc. No. 25419 of 2019 with a condition to surrender before the learned court below within a period of four weeks from today but, the petitioner did not surrender within time as he went outside State for his livelihood and no one informed him about regarding grant of bail.

3. The petitioner seeks bail in connection with Turkauliya P.S. Case No. 29 of 2019 instituted for the offences Sections 272, 273, 34 of the Indian Penal Code and Sections



30(a), 38(1), 41(1) of the Bihar Prohibition and Excise Act.

4. As per prosecution case, the police has recovered total 200 liters of illicit spirit from the Canal.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to highhandedness of the police. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the alleged liquor has been recovered from the bank of canal which is an open place accessible to one and all. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedents and is languishing in judicial custody since 19.06.2025 without any rhymes or reason.

6. Learned counsel for the petitioners again submits that the co-accused namely Krishna Kumar has been granted bail by this Court vide order dated 07.07.2025 passed in Cr. Misc. No. 42128 of 2025.

7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



8. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Turkauliya P.S. Case No. 29 of 2019.

**(Rudra Prakash Mishra, J)**

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