

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61832 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- DALMIYA NAGAR SAHAYAK
District- Rohtas

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1. Vijay Paswan S/O Dinesh Paswan R/O Village- Gangauli, P.S- Dalmiyanagar, Distt.- Rohtas at Sasaram.
 2. Vintesh Paswan S/O Dinesh Paswan R/O Village- Gangauli, P.S- Dalmiyanagar, Dist.- Rohtas at Sasaram.
 3. Suraj Paswan S/O Rajdev Paswan R/O Village- Gangauli, P.S- Dalmiyanagar, Dist.- Rohtas at Sasaram.
 4. Gappu Thakur @ Chandan Thakur S/O Buchun Thakur R/O Village- Gangauli, P.S- Dalmiyanagar, Dist.- Rohtas at Sasaram.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Dalmiyanagar P.S. Case No. 135 of 2025 registered for the offence punishable under Section 30(a) of Excise Act.

3. As per prosecution case, informant got secret information that petitioners are carrying illicit liquor and on the basis of said information, 110 litre country made liquor was recovered from the husk house situated in front of semi



constructed house of Shri Bhagwan Paswan and four persons managed to escape from the spot.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners bear no criminal antecedent. He further submits that source of information has not been disclosed in the FIR which questions the authenticity of the prosecution story. No incriminating article has been recovered from possession of the petitioners. Petitioners were not found at the place of occurrence. Petitioners have no concern with the seized liquor. Place of recovery does not belong to the petitioners. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provision of Bihar Prohibition and Excise Act.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of the 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 Exclusive Special Judge, Court No. 1, Rohtas at Sasaram in connection with Dalmiyanagar P.S. Case No. 135 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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