

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59941 of 2025

Arising Out of PS. Case No.-299 Year-2025 Thana- PATAHI District- East Champaran

Akash Kumar S/O Dinesh Paswan Resident of Village- Betauna, P.S.- Patahi,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

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

For the State : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Patahi P.S. Case No. 299 of 2025, dated 21.06.2025 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 105 litres of *Nepali* liquor has been recovered from a pit situated in cluster of Bamboo near the hut of the petitioner.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that recovery of contraband has been made from an open space accessible to public at large. The petitioner is nothing to do with the alleged offence. He also



submits that no *prima facie* case is made out against the petitioner and hence, the present petition is maintainable and the petitioner deserves to be enlarged on anticipatory bail.

5. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Patahi P.S. Case No. 299 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

S.Ali/-

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

