

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60085 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- SHIKARGANJ District- East Champaran

1. Baleshwar Paswan S/o Sadhu Paswan @ Sadhu Hajra R/o Village- Semra, P.S.- Chiraiya, District- East Champaran
2. Kameshwar Rai @ Kameshwar Ray S/o Sitaram Rai @ Sitaram Ray R/o Village- Semra, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Kumar Pandey

For the Opposite Party/s : Mr.Ramchandra Sahni

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 Shikarganj P.S. Case No. 48 of 2024 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, informant got secret information that petitioners and other were preparing illicit liquor at village Kapur, Pakri Dam near Sijua river. Upon verification, 110 litre country made liquor was recovered from the place of occurrence. Local people and chowkidar disclosed the name of petitioners and other who fled away from the place



of occurrence.

4. Learned counsel for the petitioners submits that name of the petitioners transpired in the present case on the basis of secret information but the source of secret information has not been divulged in the FIR. 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. Nothing has been recovered from the conscious possession of the petitioners. The place of recovery is near river side which is evident from the FIR itself and petitioner cannot be held liable for the same. Learned counsel further submits that case number has been mentioned on seizure list without lodging of FIR which creates suspicion.

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 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 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 No.-3, Motihari, East Champaran in connection with Shikarganj P.S. Case No. 48 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

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