

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69053 of 2025**

Arising Out of PS. Case No.-279 Year-2025 Thana- NAUTAN District- West Champaran

1. Vitandi Paswan S/O Baban Paswan R/O Vill.- Badka Banhaura, P.S.- Nautan, District- West Champaran
2. Bangali Patel @ Bangali Prasad S/O Teras Patel R/O Vill.- Badka Banhaura, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nafisu Zzoha

For the Opposite Party/s : Mr.Ramesh Chandra

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**

ORAL ORDER

2      08-10-2025                      Heard learned counsel for the petitioners and  
learned Additional Public Prosecutor for the State.

2. The petitioners apprehends their arrest in connection with Nautan P.S. Case No. 279 of 2025 registered for the offences under Sections 30(a) 41(1) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, on 15.06.2025, at around 6:30 PM, informant Santosh Kumar Singh, posted at Nautan Police Station, along with a police team, went out for a raid. At 7:50 PM, they received secret information about a person hiding illicit liquor for sale. Acting on this, the police reached Badka Banhaura near Gopalji Persad's garden, where



two individuals attempted to flee but escaped. Two villagers, Sanjay Kumar (38) and Rahul Kumar (28), agreed to act as independent witnesses. A search of the land recovered a total of 49.14 liters of foreign liquor, including various brands and quantities (Special, Officer Choice, Gold, and Royal Stag). Locals identified the fleeing suspects as Vitandi Paswan and Bangali Patel, and a seizure list was prepared.

4. Learned counsel for the petitioners submits that the recovery has been made from an open place which is accessible to general public. The petitioners are neither connected with the seized articles nor any incriminating articles were found from their possession. The petitioner No.1 has clean antecedent while petitioner No.2 has one criminal antecedent and the case registered against him is not akin to the present case and the petitioner is on bail in the said case.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and / or premises belonging to the petitioners, accordingly, this Court is inclined to grant anticipatory bail to the petitioners.



7. Let the petitioners, above named, be released on anticipatory bail in the event of their arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, West Champaran, Bettiah, in connection with Nautan P.S. Case No. 279 of 2025 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

**(Ajit Kumar, J)**

sharun/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

