

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66679 of 2025

Arising Out of PS. Case No.-241 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Barahmdev Paswan @ Gorelal Paswan S/O Late Shekho Paswan R/O
Village- Bariaghu, P.S.- Muffasil, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Mufassil P.S. Case No. 241 of 2025 registered for the alleged offences Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, on secret information about petitioner seeling illicit liquor, a raid was conducted at the orchard of one Udgar Sharma from where this petitioner was apprehended and on search of the orchard, 4 liters of country made liquor was recovered.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. It is apparent from the FIR that nothing incriminating has been recovered from the conscious possession of the petitioner. The recovery has been shown from the orchard of some other person which is an open place and the petitioner could not be fastened with liability of said recovery. There is no compliance of provisions of search and seizure. The petitioner is having antecedent of four cases and he is on bail in all such cases. The petitioner is in custody since 06.07.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the recovery of small quantity of liquor and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Begusarai/court concerned in connection with Mufassil P.S. Case No. 241 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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