

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65828 of 2025

Arising Out of PS. Case No.-194 Year-2025 Thana- CHHATAUNI District- East Champaran

Deva Paswan S/o Sanjay Paswan @ Sanjay Pasawan Resident of village-
Bada Bariyarpur ward no 44, Natua Patti, P.S.- Chhatauni, Distt.- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

2. Petitioner is apprehending arrest in connection
with Chhatauni P.S. Case No. 194 of 2025 registered for the
offences punishable under Sections 30(a) and 37 of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, there is alleged
recovery of 3 lites illicit country made liquor from the house of
the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged
in the first information report and he has been falsely implicated
in this case. The house from where the alleged recovery has



been made is a joint family property and petitioner cannot be held liable for the alleged recovery. No incriminating article has been recovered from possession of the petitioner. There is no compliance of section 103 of B.N.S. Petitioner bears criminal antecedent of one case in which he is on bail. It is submitted that because of having criminal antecedent petitioner has been falsely implicated in this case. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act.

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

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender 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 Special Judge, Excise Court No. 1, Motihari, East Champaran in connection with Chhautauni P.S. Case No. 194 of 2025, subject to the conditions as laid



down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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