

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63888 of 2025

Arising Out of PS. Case No.-207 Year-2025 Thana- Excise P.S. District- Darbhanga

Deepak Paswan S/o Chhote Lal Paswan R/o Vill- Laxmisagar Chakkar, Gas
Godown Ward No.16, P.S-University, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Jyoti Kumari, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard Ms. Jyoti Kumari, learned counsel for the
petitioner and Mr. Zainul Abedin represent the State.

2. The petitioner is apprehending arrest in connection with Excise Sadar P.S. Case No. 207 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 11.07.2025 by the informant, Dinesh Prasad Saket.

3. As per the prosecution story, the Police reached near the half constructed Laxmi Sagar Gas Godown and there is recovery/seizure of 30.660 liters of foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that he does not own the area near the Laxmi Sagar Gas Godown, has no criminal antecedent and only because of local enmity, got



implicated.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the recovery/seizure is from an open place and not from the conscious possession of the petitioner, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Excise Sadar P.S. Case No. 207 of 2025 to the satisfaction of learned Special Judge Excise-I, Darbhanga subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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