

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65413 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- DUMRA District- Sitamarhi

1. Pramod Paswan Son of Bhugru Paswan Resident of village - Bajitpur, Ward No.- 14, P.S.- Dumra, District - Sitamarhi
2. Chun Chun Paswan @ Chun Chun Kumar Son of Pukar Paswan Resident of village - Bajitpur, Ward No.- 14, P.S.- Dumra, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar

For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioners are apprehending their arrest in connection with Dumra P.S. Case No. 22/2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition of Excise Act.

3. As per prosecution case, there is alleged recovery of 28 liters Nepali saufi wine from the land in question. Local Chowkidar disclosed the name of the petitioners who fled away from the place of occurrence.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as



alleged in the FIR. Except disclosure of local Chowkidar, there is nothing on record to demonstrate the complicity of the present with the alleged occurrence. He orally submits that the petitioners have inimical term with the local Chowkidar due to which they have falsely been implicated in this case. The petitioners bear no criminal antecedent. The petitioners were not found at the place of occurrence. No incriminating article has been recovered from the possession of the petitioners. The petitioners have no concern with the seized liquor. The petitioners are not the owner of the said land. The petitioners are not in any way connected with the alleged occurrence. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the provision of Bihar Prohibition of Excise Act.

5. The learned A.P.P. for the State opposed 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 bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Judge, Excise-I, Sitamarhi in connection with Dumra P.S. Case No. 22/2025, 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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