

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67169 of 2025

Arising Out of PS. Case No.-305 Year-2025 Thana- MADHUBANI TOWN District-
Madhubani

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Vijay Paswan S/O Shatrudhan Paswan R/O village- Salempur P.S.- Pandaul,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Kumari Pallavi
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 03-12-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 20 litres of liquor from a gallon. It is next submitted
that petitioner was not arrested from the spot as such nothing
was recovered from his conscious possession and even alleged
recovery is from a place which does not belong to the petitioner
and he came to be implicated at the instance of local person but
the name of person who disclosed the name of the petitioner is



not disclosed in the FIR, which casts an aspersion on the case of the prosecution. It is also submitted that investigation in the case against the petitioner is still continuing.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhubani Town P.S. Case No.305/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of two



cases, in that event the provisional anticipatory bail order shall
be confirmed forthwith.

(Satyavrat Verma, J)

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