

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70710 of 2025

Arising Out of PS. Case No.-296 Year-2025 Thana- DALSINGHSARAI District- Samastipur

SUBODH KUMAR @ SUBODH PASWAN Son of Sadhu Paswan Resident
of House No.- 19, Harishankarpur Harsankarpur, P.S.- Dalsinghsarai,
Samastipur, Bihar - 848114.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Keshav Bhardwaj, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-10-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Dalsinghsarai P.S. Case No. 296 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 07.08.2025 by the informant, Vijay Kumar.

3. As per the prosecution story, the informant alleged that on secret information, two vehicles (swift dzire and a motorcycle) were checked and there is recovery/seizure of 10.98 liters of foreign liquor and 1.08 liters of foreign liquor respectively. This led to the FIR.

4. Learned counsel for the petitioner submits that neither of the vehicles belong to him nor he has criminal antecedent and only because Bhupesh Paswan gave the name of



the petitioner, implicated. He submits that if granted bail, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that the arrested person named him.

6. Considering the submissions of the parties as also that neither he owns the motorcycle nor has criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail. If, however, it is found that contrary to the statement made in paragraph no. 3, it is found that the petitioner has criminal antecedent, the present order shall become infructuous.

7. 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 Dalsinghsarai P.S. Case No. 296 of 2025 to the satisfaction of learned Special Judge Excise-1, Samastipur 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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