

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70940 of 2025**

Arising Out of PS. Case No.-1045 Year-2024 Thana- GAYA MUFASIL District- Gaya

Ram Pravesh Paswan S/o Late Bal Govind Paswan R/o Village- Manpur,  
Gandhi Nagar, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anunay Shahi  
For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 215-10-2025
1.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2.

This application, for grant of anticipatory bail, arises out of Mufassil Police Station Case No. 1045 of 2024, dated 27.11.2024, disclosing offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3.

The prosecution case, as per the First Information Report, is that the police, during vehicle check, saw a tempo coming from Manpur Sudhitola, signalled the tempo to stop, but the driver tried to flee away, but was apprehended by the police along with the tempo. On search, the police recovered 56 litres of illicit country-made and foreign liquor kept in the tempo, in question.
4.

Learned Counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case on the basis of the fact that he happens to be the owner of the tempo, in question, which is a commercial vehicle and was being plied on hire basis. The petitioner was not aware that the driver, who was carrying some articles in the tempo, has kept illicit liquor inside the tempo. He further submits that the petitioner has got no criminal antecedent.

5. Regards being had to the submission advanced on behalf of the parties concerned and taking into consideration the fact that the petitioner has been made accused on the basis of him being owner of the tempo in question, he is having no criminal antecedent, the vehicle is a commercial vehicle and is being plied on hire basis, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. I, Gaya in connection with



Mufassil Police Station Case No. 1045 of 2024, subject to  
the condition laid down under Section 438 (2) of the Code  
of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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