

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69288 of 2025**

Arising Out of PS. Case No.-18 Year-2023 Thana- KALUAHI District- Madhubani

Anand Paswan S/O Sarowar Paswan R/O Village Rasulpur Sabila, P.S - Sadar,  
District Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumari Pallavi, Adv.

For the Opposite Party/s : Mr. Jitendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      09-10-2025      Heard learned Counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Kaluahi P.S. Case No. 18 of 2023 for the offence registered under sections 272, 273 of the IPC and Section 30(a) of the Bihar Excise Prohibition Act.

3. As per the prosecution story, the Police on secret information, intercepted a motorcycle and there is recovery/seizure of 45 liter Nepali wine. This led to the FIR.

4. Learned Counsel for the petitioner submits that he do not have criminal antecedent, only on the basis of the fact that the motorcycle is being owned by him, the case. Paragraph 13 is dedicated to his submission that one Kanhaiya Sahni, a co-villager had taken his name.



5. Learned APP for the State, Mr. Jitendra Kumar Singh, on the other hand, opposes the prayer for anticipatory bail submitting that the motorcycle belongs to him.

6. Taking into account the aforesaid facts as also that the petitioner do not have criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. However, if 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 in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Madhubani in connection with Kaluahi P.S. Case No. 18 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 attendance and at the end of the period, the certificate be submitted to the Court;

(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 the bail bonds.

**(Rajiv Roy, J)**

Vijay Singh/-

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