

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69246 of 2025

Arising Out of PS. Case No.-350 Year-2025 Thana- KESARIA District- East Champaran

Ganesh Paswan Son of Amrit Paswan @ Imrit Paswan Resident of Village-
Kesariya Purani Bazar Ward no. 10, Ps- Kesariya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, 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 Kesariya P.S. Case No. 350 of 2025 for the offence registered under sections 274, 275 of BNS and 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 27.07.2025 by the informant, Nawal Kishore.

3. As per the prosecution story, the informant alleged that on secret information about involvement of the petitioner in selling of country made liquor, the place was raided and near his house, 25 liter country made liquor recovered/seized. This led to the FIR.

4. Learned Counsel for the petitioner submits that only to pressurize, the case. Nothing has been recovered from



his conscious possession rather outside the house, he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that on information, the place was raided.

6. Considering the submissions of the parties as also the fact that he do not have criminal antecedent and recovery is not from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. 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 Excise Court No. 3, Civil Court, East Champaran at Motihari, Bihar in connection with Kesariya P.S. Case No. 350 of 2025 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/-

U		T	
---	--	---	--

