

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71970 of 2025**

Arising Out of PS. Case No.-332 Year-2025 Thana- MOTIHARI MUFASIL District- East  
Champaran

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Niraj Kumar @ Niraj Paswan Son of Ramnath Pasawan Resident of village-  
Raisingha PS -Muffasil District -East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sujeet Kumar

For the Opposite Party/s : Mr. Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

2      15-10-2025                      Heard learned counsel for the parties.

2. The petitioner is apprehending his arrest in a case registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that the informant received secret information about the petitioner selling illegal liquor in a mango orchard. On reaching the spot, the petitioner fled throwing two bags, and on search, 88 litres of country made liquor were recovered.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in the instant case only on the basis of suspicion. It is further submitted that the seized liquor does not belong to the petitioner. The said liquor is said to have been recovered from



an open place, and the access of the general public cannot be ruled out. He fairly submits that the petitioner has one criminal antecedent akin to the instant case, and he is on bail in that case.

5. Learned APP for the State opposed the prayer for bail.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the conscious possession and/ or premises belonging to the petitioner, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.1, East Champaran at Motihari in connection with Muffasil P.S. Case No.332 of 2025 subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

**(Ajit Kumar, J)**

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