

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72103 of 2025

Arising Out of PS. Case No.-146 Year-2024 Thana- OBRA District- Aurangabad

Mantosh Paswan S/o Rajendra Paswan R/o Village- Mahdewa, PS- Obra,
District- Aurangabad Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 50 litre
illicit country made liquor from a motorcycle bearing Registration
No. BR-26A-3613 and it is alleged that the petitioner fled away
from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case
due to his criminal antecedents. He further submits that petitioner
is neither owner nor driver of the motorcycle in question and he
has no concern with the alleged seized liquor. Learned counsel
submits that petitioner was not present on the spot and no
incriminating article has been recovered from his conscious
possession. He further submits that there is no independent
witness of the seizure list. Learned counsel submits that petitioner



had earlier filed petition for anticipatory bail before this Court and *vide* order dated 25.06.2025 passed in Cr. Misc. No.38998 of 2025, the said anticipatory bail was rejected, however, liberty has been given to him to surrender before the learned Court concerned, accordingly he surrendered before the learned Court concerned. He further submits that petitioner is in custody since 28.08.2025 and he has two criminal antecedents of similar nature. Learned counsel submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the investigation and trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Obra P.S. Case No.146 of 2024.

(Sunil Dutta Mishra, J)

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