

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72695 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- SAHIYARA District- Sitamarhi

Nagendra Paswan S/O Madhesar Paswan R/O Vill.- Puranhiya, Paswan Tola,
P.S.- Sahiyara, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sahiyara P.S. Case No. 161 of 2025 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, police received secret information about transportation of illicit liquor in huge quantity by a white coloured Scorpio vehicle. The said Scorpio vehicle was intercepted, two persons including the driver fled away from the spot and co-accused Raja Kumar was apprehended. On search of the vehicle, recovery of 468 liters of country made Nepali liquor was made. The apprehended co-accused Raja Kumar disclosed the name of this petitioner and co-accused



Bajrangi who fled away from the spot on seeing the police party.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. Except for the confessional statement of co-accused, there is no material to show the complicity of the petitioner in the alleged occurrence. The petitioner is not even the owner of the vehicle from which recovery has been shown. The petitioner is in custody since 25.08.2025.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and also considering the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Sitamrahi/court concerned in connection with Sahiyara



P.S. Case No. 161 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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