

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83196 of 2025

Arising Out of PS. Case No.-411 Year-2025 Thana- RAJNAGAR District- Madhubani

Kanhaiya Paswan S/o- Late Narayan Paswan Village- Kashiyauna Ward No 8
PS- Rajnagar Distt-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ratnakar Jha, Advocate
For the State	:	Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Rajnagar P.S. Case No. 411 of 2025, dated 15.09.2025, registered for the offences punishable under Sections 274, 275 and 3(5) of B.N.S. and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 170.625 litre of illicit liquor has been recovered from an open place situated behind the house of the petitioner and co-accused/Manju Devi. As per further case of the prosecution, there was secret information to the police that the petitioner and co-accused/wife of the petitioner have concealed the huge amount of illicit liquor in their house and when they reached the place of recovery, they found the said contraband and the petitioner and co-accused/wife of the



petitioner were successful in fleeing away taking advantage of darkness.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that recovery has been made from an open space accessible to the public at large and not from the house of the petitioner or from his personal possession. He further submits that similarly situated co-accused has already been enlarged on anticipatory bail by this Court vide order dated 17.12.2025, passed in Cr. Misc. No. 84127 of 2025. He further submits that no *prima facie* case is made out against the petitioner and hence, the present anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named,



to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Rajnagar P.S. Case No. 411 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

Shoaib/Ravi Shankar

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

