

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84817 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- BARGAINIA District- Sitamarhi

Suresh Paswan @ Sudesh Paswan S/O Ram Ekwel Paswan Resident of
Village- Harna Raina, P.S.- Dhaka, Dist- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

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

3. Perusal of the first information report and the seizure list, would go to show that 141.600 liters of illicit liquor is said to have been recovered from the two motorcycles.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. As a matter of fact, the name of the petitioner has surfaced in the present case as he is the owner of one of the motorcycles. It is further submitted that there is no independent witness to the seizure list and the provisions of Sections 103 and 105 of the B.N.S.S. have been



flagrantly violated by the police. Further, the petitioner has no criminal antecedent.

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

6. Taking into consideration the fact and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged 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 the learned court below where the case is pending/successor court in connection with Bairganiya P.S. Case No. 138 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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