

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86562 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- SONBERSA District- Sitamarhi

Kishor Kumar Paswan S/o Rajeshwar Paswan Resident of village - Dokhar,
Balani, P.S - Kaluahi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Sonbarsa P.S. Case No.364 of 2025, dated 29.01.2025 registered for the offences under Sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the FIR, 25.470 liters is said to have been recovered from the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case solely on the ground that the recovery was made from his motorcycle. However, as a matter of fact, the petitioner had given his motorcycle to his friend, namely Pradeep Singh, and had no knowledge of any liquor being carried therein. There has been no recovery from the constructive possession of the



petitioner. Lastly, it is submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for grant of anticipatory 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 constructive possession of 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 Exclusive Special Excise Court No.I, Sitamarhi, in connection with Sonbarsa P.S. Case No.31 of 2025 subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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