

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1212 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- SHIKARGANJ District- East Champaran

Abhumanu Paswan @ Abhimanu Paswan @ Abhimanu Kumar @ Abhimanyu Kumar, aged about 28 years, Gender- Male, Son of Rajdev Paswan @ Rajdev Hajra, Resident of Village- Semra, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-02-2025 Heard Mr. Aditya Kumar Pandey, learned counsel appearing on behalf of the petitioner and Mr. Nagendra Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Shikarganj P.S. Case No. 48 of 2024 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act as amended up-to-date.

3. Allegation is of recovery of 110 litres of *Chulai* liquor from near the bank of *Sizua* river at village Kapur Pakri.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the case due to local village politics. *Chaukidaar* had disclosed the name of the petitioner. Petitioner has no concern



with the seized liquor nor he is involved in trade of liquor in any manner. The place of recovery is an open place which is accessible to anyone. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner and submits that due to sale and consumption of illicit liquor, day after day, hooch tragedy occurs and the State Officials of different department appears to have facilitated smuggling and trade of illicit liquor inside the State of Bihar. As such, involvement of the petitioner cannot be ruled out from illicit trade of liquor.

6. Considering the fact that the recovery of 110 litres of *Chulai* liquor from near the bank of a river, which is an open place and easily accessible to any one, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Motihari, East Champaran, in connection with Shikarganj P.S. Case No. 48 of



2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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