

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8034 of 2026

Arising Out of PS. Case No.-554 Year-2025 Thana- BABUBARHI District- Madhubani

1. Dhiraj Paswan @ Dhiraj Kumar Paswan Son of Late Chhotelal Paswan @ Late Mungalal Paswan Resident of Village- Bardahi, P.O.S.- Babubarhi, Dist.- Madhubani, Bihar
2. Amra Devi @ Amala Devi Wife of Late Chhotelal Paswan @ Late Mungalal Paswan Resident of Village- Bardahi, P.O.S.- Babubarhi, Dist.- Madhubani, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-02-2026 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail, arises out of Babubarhi Police Station Case No. 554 of 2025, disclosing offence under Section 30(a) of Bihar Prohibition & Excise Act.

3. As per the FIR, on 03.12.2025, while on patrolling duty, the police received secret information that country-made liquor was being manufactured in a thatch and asbestos hut situated to the west of the Anganwadi Centre in village Bardahi. On the said information, the police reached the spot. On seeing the police party, some persons fled away from the place of



occurrence and were allegedly identified by the Mahal Chowkidar as the petitioners and others. Upon search of the hut, 10 litres of country-made liquor was recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. Their names have surfaced only on the basis of the disclosure made by the Mahal Chowkidar. It is further submitted that liquor has not been recovered from the conscious possession or from any premises belonging to the petitioners. From perusal of the seizure list, it does not appear that the thatched hut covered with asbestos sheets, from where the alleged recovery was made, belongs to or is owned by the petitioners. It is also submitted that petitioner no. 1 has one criminal antecedent, whereas petitioner no. 2, aged about 71 years, has no criminal antecedent.

5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the seizure list does not indicate that the alleged recovery was made from the house or hut belonging to the petitioners I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of



their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Act, Madhubani, in connection with Babubarhi Police Station Case No. 554 of 2025, subject to the condition laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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