

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8177 of 2026

Arising Out of PS. Case No.-425 Year-2025 Thana- OBRA District- Aurangabad

1. Pujan Paswan @ Pujan Pasvan Son of Late Dhari Paswan R/o Village - Mahadeva, P.S. - Obra, District - Aurangabad, Bihar.
2. Yogendra Paswan @ Yogendra Pasvan Son of Virodhi Paswan R/o Village - Mahadeva, P.S. - Obra, District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2026 Heard Ms. Rupa Kumari, learned counsel appearing on behalf of the petitioner and Mr. Narsingh Tanti, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Obra P.S. Case No. 425/2025 registered for the offence(s) punishable under Sections 30(a)/30(c) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, altogether 240 litres of illicit liquor was recovered from the *Son Diyara Dila* (sandbank) of the accused persons including the petitioners.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have



falsely been implicated in the present case. He further submitted that recovery of illicit liquor has been made from the open space and is easily accessible by anyone. Petitioners have no concern either with the place of recovery or with the alleged recovered liquor.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail. He submitted that petitioner no.1 has one criminal antecedent, whereas, petitioner no.2 has two criminal antecedent under Excise Act.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the fact that recovery of illicit liquor has been made from the open space and is easily accessible by anyone and also the fact that the State has failed to implement its liquor policy in its true spirit, **the petitioner no.1, above named, is directed to be released on pre-arrest bail**, in the event of his arrest or surrender before the learned District Court 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 Concerned Court where the case is pending in connection with Obra P.S. Case No. 425/2025, subject to the conditions as laid down under



Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner no.1 and if it is found that the petitioner no.1 is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

8. So far as petitioner no.2 is concerned, considering the fact that he has two criminal antecedents under Excise Act, I am not inclined to grant pre-arrest bail to the petitioner no.2.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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