

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12065 of 2026

Arising Out of PS. Case No.-203 Year-2025 Thana- BHAPTIAHI District- Supaul

Amit Paswan @ Amit Kumar Paswan @ Amit Kumar S/o Damodar Paswan
R/o vill- Simri, Ward No 2, Ps- Bhaptiyahi, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prasoon Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Amendment Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedents of three cases, out of which, two
cases are under the Excise Act and allegation is of recovery of
324 litres of liquor from a car. It is next submitted that petitioner
was not arrested from the spot, as such, nothing was recovered
from his conscious possession and is not the owner of the seized
vehicle and came to be implicated based on secret information,
which is the easiest way to implicate someone. It is also
submitted that once an accused is implicated in a case relating to



excise, the police starts implicating mechanically either at the instance of Chowkidar, local person, confessional statement or secret information without holding a proper investigation.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of learned Court of P.O. Exclusive Special Excise Court-1, Supaul in connection with Bhaptiyahi P.S. Case No.203 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than three cases, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before



this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedents of only three cases, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

U		T	
---	--	---	--

