

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12963 of 2026

Arising Out of PS. Case No.-242 Year-2025 Thana- LAUKAHI District- Madhubani

1. Om Prakash Paswan S/o Chhotelal Paswan R/o Village - Pipraun, P.S -
Laukahi, District - Madhubani
2. Ajay Paswan S/o Chhotelal Paswan R/o Village - Pipraun, P.S - Laukahi,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 274, 275 and 3(5) of B.N.S., 2023 as well as Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 108 litres of liquor concealed beneath the straw at village Piproun. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a



place which does not belong to the petitioners and petitioners came to be implicated at the instance of local person but then name of the person, who disclosed the name of the petitioners, is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioners admittedly are persons with clean antecedent and have not been implicated based on secret information.

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

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No.242 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 bonds of the petitioners shall



verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their 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 petitioners are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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