

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15070 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- RISIYAP District- Aurangabad

Lakshmi Paswan @ Gore Paswan S/O Aditya Paswan R/O Vill.- Mangurahi,
P.S.- Risiup, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-03-2026 1. Heard learned counsel for the petitioner and Mr. Rabindra Kumar, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 30(c), 30(d) and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 199.5 litres of liquor along with 80 litres of spirit from Gamhari Badhar.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and even the alleged recovery is from a place which does not belong to the petitioner and is accessible to villagers at large. It is further submitted that



petitioner came to be implicated at the instance of the Chawkidar with whom he is on an inimical term. It is next submitted that if the Chawkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution. It is also submitted that it appears that the Chawkidar, in order to save the real culprits, falsely implicated the petitioner, when petitioner admittedly is a person with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/Successor Court in connection with Risiup P.S. Case No. 26 of 2026, G.R. No. 211 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned



Trial Court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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