

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23025 of 2026**

Arising Out of PS. Case No.-723 Year-2025 Thana- GAURICHAK District- Patna

=====

Momindar Paswan @ Mominder Paswan S/o Jitlal Paswan Resident of  
village- Dalanpur, PS- Fatuha, District- Patna. ... .. Petitioner/s

Versus

The State of Bihar . ... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Suman Kumari Singh

=====

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      30-04-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending his arrest in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the  
seizure list, would go to show that 60 liters of Mahua liquor is  
said to have been recovered from the two plastic bags which  
was left by three persons near the Punpun river.

4. It is submitted by learned counsel for the  
petitioner that there is no recovery from the physical and  
conscious possession of the petitioner. The petitioner was not  
arrested on the spot. It is submitted that the place of recovery is  
an open place and easily accessible to anyone. As a matter of  
fact, the name of the petitioner has transpired in this case on the  
disclosure made by the apprehended accused.



5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has three criminal antecedents of similar nature of the offence. In response, it has been submitted that the petitioner is on bail in all the cases.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner has been made accused on the disclosure made by the apprehended accused, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gaurichak P.S. Case No. 723 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close relative.

(iii) The court below shall verify the criminal



antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay preferably within a period of two weeks.

**(Soni Shrivastava, J)**

Trivedi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

