

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18033 of 2026

Arising Out of PS. Case No.-22 Year-2026 Thana- RAFIGANJ District- Aurangabad

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Biran Paswan @ Viran Paswan Son of Bharat Paswan R/o Village -
Baur(Jakim), P.S. - Rafiganj, Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bishweshwar Ram, APP
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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. The allegation in the First Information Report is that 160 litres of spirit along with empty plastic bottles packaging materials along with one motorcycle were recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that 160 litres of spirit along with empty plastic bottles etc. was recovered from a motorcycle, which was recovered from a bundle of husk. The petitioner is not the owner of the said motorcycle and the recovery is from an open place, which is accessible to all. There is no independent witness to search and seizure.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report as also submits that the petitioner has two



criminal antecedents of similar nature. In response, it is submitted by learned counsel for the petitioner that the petitioner is on bail in both the cases.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below 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 the learned Court below where the case is pending/successor Court in connection with Rafiganj P.S. Case No. 22 of 2026, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to condition that:-

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Soni Shrivastava, J)

anand/-

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