

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16942 of 2026

Arising Out of PS. Case No.-5 Year-2026 Thana- ANDHRAMATH District- Madhubani

Shri Prasad Paswan @ Shree Prasad Paswan Son of Fuleshwar Paswan
Resident of village - Dharhara, P.S.- Andharamath, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Andharamath P.S. Case No.05 of 2026 registered for the offence under Section 274/275, 3(5) BNS, 2023 and 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 237 liters of Nepali countrymade liquor.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in this case. Learned counsel for the petitioner further submits that the petitioner was not apprehended on the spot and no recovery was made from the conscious physical possession of the petitioner. Learned counsel for the petitioner next submits that petitioner's name come on



the confessional statement of co-accused, which carries no evidentiary value.

5. The learned APP opposes the anticipatory bail application.

6. Considering the fact that the petitioner was not apprehended on the spot and no recovery was made from the conscious physical possession of the petitioner and that he appears to have been implicated on the confessional statement of co-accused, which carries no evidentiary value, this court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Accordingly, 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 anticipatory bail on his furnishing bail-bonds in the sum of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur in connection with Andharamath P.S. Case No.05 of 2026, subject to the conditions laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita.

(Alok Kumar Sinha, J)

Prakash Narayan

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