

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18911 of 2026**

Arising Out of PS. Case No.-190 Year-2025 Thana- Rasalpur District- Bhagalpur

1. Kishore Paswan S/o Kullo @ Kuldip Paswan Resident of Village- Ekchari, P.S.- Rasalpur, Dist.- Bhagalpur
2. Rajiv Paswan S/o Anuplal Paswan Resident of Village- Ekchari, P.S.- Rasalpur, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      16-04-2026                      1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Rasalpur Police Station Case No. 190 of 2025, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, on 29.12.2025, during routine patrolling, the informant along with other police personnel received secret information regarding three persons carrying illicit liquor. Acting on the said information, the police party reached Ekchari Thakur Bari Chowk, where upon seeing the police, the accused persons attempted to flee. One person,



namely Bikrant Kumar, was apprehended, while two others, identified as the petitioners, managed to escape. Upon search of the bag carried by the apprehended accused, 20 liters of country-made liquor was allegedly recovered and a seizure list was prepared accordingly.

4. Learned Counsel for the petitioners submits that the petitioner are innocent and have falsely been implicated due to alleged high-handedness of the police officials. It is submitted that neither were they apprehended at the place of occurrence nor was any incriminating article recovered from their conscious possession or residence. Petitioners have been made accused solely on the basis of disclosure made by the arrested co-accused.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that petitioners have been made accused on the basis of disclosure made by the apprehended co-accused, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Judge-II, Bhagalpur, in connection with Rasalpur Police Station Case No. 190 of 2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

**(Anil Kumar Sinha, J)**

HarshPandey/-

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