

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18512 of 2026

Arising Out of PS. Case No.-697 Year-2025 Thana- BIHAR District- Nalanda

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Dharmveer Paswan @ Mithun Paswan S/O Ramugar Paswan R/O Village-
Khandakpar, P.S- Bihar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate
For the State : Mrs. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-03-2026 Heard Mr. Pramod Kumar Sinha, learned counsel for
the petitioner and Mrs. Meena Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
26.12.2025, in connection with Bihar P.S. Case No. 697 of
2025, F.I.R. dated 25.12.2025 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition &
Excise Amendment Act, 2022.

3. Recovery is of 16.8 litres of *country made* liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing incriminating article has been
recovered from the conscious possession of the petitioner rather
recovery has been made from the house in question and the



petitioner is not the absolute owner of the house in question and the house in question is a joint family property of the petitioner and altogether 16.8 litres of country made liquor was recovered from the house of the petitioner. He further submits that there is non-compliance of Sections 103 of BNSS, 2023 and the petitioner is in custody since 26.12.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries seven more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Sections 103 of the BNSS, 2023, let the petitioner, above named, be released 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 learned District & Additional Sessions Judge-V-cum-Special Judge Excise, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 697 of 2025, subject to the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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