

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21266 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- MAGADH UNIVERSITY District- Gaya

Shivnandan Paswan S/o Badri Paswan R/o Village - Punakala, P.S - Paraiya,
District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Sinha, Advocate Ms. Anjali Kumari, Advocate Ms. Sanjana, Advocate
For the Opposite Party/s :		Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Magadh University P.S. Case No. 245 of 2025 registered
for the offence(s) punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the allegation made in the FIR, altogether
68.875 litres of illicit liquor was recovered from a Toto vehicle
bearing Registration No. BR-02RA-5819. Driver of the car,
namely, Golden Kumar was arrested on the spot, who disclosed
the name of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Admittedly, at the time of the alleged seizure and recovery of illicit liquor, petitioner was not present and he has been made accused in this case, being the owner of the vehicle in question, which was given by the petitioner to his driver and the same was being driven by him at the time of said incidence and as such the petitioner had no idea that the driver was carrying liquor on the said vehicle. Learned counsel further informs that the driver Golden Kumar has already been granted regular bail by a co-ordinate Bench of this Court *vide* order dated 24.12.2025 passed in Cr. Misc. No.89092 of 2025. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the fact that the petitioner has clean antecedent and also the fact that the State has failed to implement its liquor policy in its true spirit, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender



before the learned District Court 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 learned Concerned Court where the case is pending in connection with Magadh University P.S. Case No. 245 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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