

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24942 of 2026

Arising Out of PS. Case No.-2957 Year-2025 Thana- Excise P.S. District- East Champaran

Dharmendra Paswan, Son of Vinod Paswan, R/o village Bariyarpur, P.S.-
Chhatauni, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Trial No. 147 of 2026 arising out of Excise P.S. Case No.
2957 of 2025 dated 31.12.2025 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. The allegation is of recovery of 200 litres
country made liquor from a *Tempo* bearing Registration No.
BR05PB-8904. One person was arrested on the spot,
claiming to be driver of the said Tempo, who disclosed the
name of the petitioner.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in



this case. It is submitted that nothing has been recovered from conscious possession of the petitioner. He has not been arrested on the spot. It is further submitted that the driver of the said *Tempo* was apprehended on the spot, who disclosed the name of the petitioner. Further, it is submitted that the seized *Tempo* and illicit liquor does not belong to the petitioner. The petitioner is in custody since 06.02.2026, having five criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No. 2, East Champaran at Motihari in connection with Trial No. 147 of 2026 arising out of Excise P.S. Case No. 2957 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in the trial court.

(Khatim Reza, J)

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