

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24048 of 2026

Arising Out of PS. Case No.-71 Year-2025 Thana- HASAN BAZAR District- Bhojpur

Babu Sahab Paswan S/o Butan Paswan @ Surendra Paswan @ Sumendra
paswan Resident of Village - Majhiaw, P.S.- Hasanbazar, District- Bhojpur.
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Hasan Bazar P.S. Case No.71 of 2025 registered under Section
30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 40 liters of illicit
country made *Mahua* liquor was recovered from an Apache
motorcycle bearing Reg. No. BR-04R-7316. It is alleged that
petitioner managed to flee away from the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case based merely upon the disclosure statement made by the
co-accused Rohit Kumar. He further submits that the petitioner
has no concern either with the alleged seized liquor or with the
seized motorcycle as the same does not belong to him. Learned
counsel submits that petitioner was not present on the spot and



no incriminating material has been recovered from his conscious possession. He further submits that except the disclosure statement, there is no material against the petitioner. Learned counsel submits that petitioner has one criminal antecedent, in which he is on bail and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, Bhojpur at Ara/ concerned Court in connection with Hasan Bazar P.S. Case No.71 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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