

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25649 of 2026

Arising Out of PS. Case No.-54 Year-2023 Thana- HARNAUT District- Nalanda

Rudal Paswan @ Mahaveer Paswan @ Mahavir Paswan S/o Ramvriksh
Paswan @ Brij Paswan R/o Village - Nehusa Milkipar, P.S. - Harnaut, District
- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar

For the Opposite Party/s : Mr. Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases under the Excise Act and
allegation is of recovery of 5 liters of liquor from a hut.
4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and even alleged
recovery is from a place which does not belong to the petitioner
and he came to be implicated at the instance of local person, but



then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution, when petitioner has not been implicated based on secret information. It is also submitted that of late police has started implicating accused with criminal antecedents in cases relating to Excise for obvious reasons.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Trial Court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 10000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Harnaut P.S. Case No. 54 of 2023 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases then it would be presumed that petitioner, for the



purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of two cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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