

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30801 of 2026

Arising Out of PS. Case No.-52 Year-2026 Thana- BELSAND District- Sitamarhi

Ram Babu Paswan S/o Late Nagendra Paswan Resident of Village- Saraiya,
ward no 13 @ Belsand Tole Saraiya, ward no. 13, P.S.- Belsand, Dist.-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2026 Heard Mr. Santosh Kumar, learned counsel for the
petitioner and Mr. Shailendra Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
23.03.2026, in connection with Belsand P.S. Case No. 52 of
2026, F.I.R. dated 22.02.2026 registered for the offences
punishable under Section 30(a) of the Bihar Prohibition &
Excise Act.

3. Recovery is of 120 litres of *Desi Chulai* 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.
that nothing has been recovered from the conscious possession
of the petitioner and the name of the petitioner has been



transpired on the basis of disclosure made by local choukidar and except the aforesaid, nothing has come during investigation to suggest the involvement of the petitioner in the present occurrence. It appears from the seizure list that the seizure list witnesses are Home Guard personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 23.03.2026.

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 three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of three cases, the petitioner is on bail in two cases and one case is pending for consideration before the competent court of law.

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 and 105 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 Exclusive Special Excise Court No. 2, Sitamarhi in connection with Belsand P.S.



Case No. 52 of 2026, 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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