

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31201 of 2026

Arising Out of PS. Case No.-15 Year-2026 Thana- JAMALPUR District- Darbhanga

Bala Paswan S/o Kari Paswan Resident of Village - Jamalpur, P.S.- Jamalpur,
Dist- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 27-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Jamalpur P.S. Case No. 15 of 2026 dated 11.02.2026 registered for the offence punishable under Section/s 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, the police has recovered total 40.875 liters of illicit foreign liquor from the sack beside the Kamla Dam.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is next submitted that the alleged recovery has been made from the bush near the *Bandh*, which is an open place, accessible to general public. It is the case of the petitioner



that the petitioner has one antecedent, not akin to the present one, in which the petitioner has been acquitted. It is further submitted that the name of the petitioner has transpired in this case on the basis of the disclosures made by the co-accused, while the petitioner is in no way connected with the seized article.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that the recovery has been made from the open place, accessible to one and all, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six 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 Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Jamalpur P.S. Case No. 15 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;



(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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