

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34243 of 2026

Arising Out of PS. Case No.-258 Year-2025 Thana- BIKRAMGANJ District- Rohtas

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Pujan Pasi @ Pujan Chaudhary Son of Baban Pasi @ Baban Chaudhary
Resident of Village- Satyanarayan Tola, Balchandwa, P.S.- Bikramganj,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioner and the

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Bikramganj P.S. Case No. 258 of 2025, registered under
Sections 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per the prosecution story, which has been
lodged on the basis of the written report submitted by the
informant to the effect that while the informant, along with the
police party was on a patrolling duty, he received a secret
information that the petitioner and one Upendra Pasi were
selling country made liquor near the bank of Kau river. To verify
the authenticity of the information received by the informant, he



proceeded towards the place of occurrence. Upon seeing the police party, two persons started fleeing away and managed to escape. The Chowkidar, who was present along with the police party, identified the persons, who fled away as the petitioner and Upendra Pasi. A search was conducted at the place, from where in an abandoned plastic box, 32 liters of liquid, which is suspected to be country made liquor, was recovered and a seizure list was prepared.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence, rather the alleged recovery of 32 liters of country made liquor is said to have been made from the bank of Kau river, which is a open place and accessible to all. The petitioner was not present at the place of occurrence and his name transpired in the present case only on the basis of information/identification of the Chowkidar. He further submits that nothing has been recovered from the possession of the petitioner and the petitioner has got no concern with the alleged/seized liquor. He further submits that the petitioner has got a clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard the learned counsel for the parties



and after going through the records, it appears that 32 liters of country made liquor was recovered from the bank of river Kau and the petitioner was not present at the place of occurrence. His name transpired in the present case, only on the basis of the identification of the Chowkidar, who was present along with the police party on the date of occurrence. Apart from the said identification, nothing has come against the petitioner and, since he was not present at the place of occurrence, no recovery is said to have been made from the petitioner. The petitioner has got a clean antecedent. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. - I, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 258 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, and subject to the following condition:-

(I) That the learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it



is found that the petitioner has concealed his criminal antecedent, the court concerned 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.

(Ritesh Kumar, J)

Ajay/Kunal/-

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