

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33756 of 2026

Arising Out of PS. Case No.-229 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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Sanjay Paswan Son of Gauri Paswan Resident of Village- Ramsalla, P.S.-
Sadar, District- Darbhanga at present resident of WZ-553, Narain Vihar,
Narayan Industrial Estate P.S. and District- South Delhi, N. Delhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Saurav Anand, Advocate

For the Opposite Party : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Sadar P.S. Case

No.229 of 2019 registered under Section 30(a) of Bihar

Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 4 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

the petitioner that the recovery of alleged illicit liquor was

made from an orchard which is an open place accessible to



general public. It is also submitted that name of petitioner arrayed solely on the basis of suspicion. It is further submitted that the petitioner is neither connected with the seized liquor nor was the petitioner apprehended from the spot and it can be safely said that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. Explaining criminal antecedent, it is submitted that the petitioner found involved in one criminal case of similar nature.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking note of the fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to 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 the learned Special Judge- I(Excise Act), Darbhanga, in connection with Sadar P.S. Case No.229 of 2019, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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