

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34007 of 2026

Arising Out of PS. Case No.-41 Year-2026 Thana- SIMRI District- Buxar

Sonu Paswan S/O Late Suresh Paswan R/O Village- Balihar, P.S.- Simri,
Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 21-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through virtual mode.

2. The petitioner is apprehending his arrest in connection
with Simri P.S. Case No. 41 of 2026 dated 17.02.2026 registered
for the offence punishable under Section/s 30(a) of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, the Police have recovered
total 10 liters of illicit country-made liquor from the place of
occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
in the F.I.R. It is submitted that the recovery of alleged liquor
has been made from the open place which is accessible to one
and all and the said place is in no way connected with the



petitioner. The petitioner has also no concern with the alleged seized article. It is further submitted that the name of the petitioner has transpired in this case on the basis of his criminal antecedent in which he is already on bail.

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 seizure was made from an open place accessible to the general public and that the seized article is in no way connected with the petitioner, 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 four 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 Excise Court No.2, Buxar in connection with Simri P.S. Case No. 41 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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