

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36744 of 2026

Arising Out of PS. Case No.-18 Year-2026 Thana- IMADPUR District- Bhojpur

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1. Shambhu Paswan @ Shambhu Ram S/o Nagina Paswan @ Nagina Ram R/O Village- Rajpur, P.S- Imadpur, District- Bhojpur
 2. Aashish Kumar @ Ashish Paswan S/o Bikrama Paswan R/O Village- Rajpur, P.S- Imadpur, District- Bhojpur
 3. Dharmendra Paswan @ Dharmendra Ram S/o Surendra Paswan @ Surendra Ram R/O Village- Rajpur, P.S- Imadpur, District- Bhojpur
 4. Dadan Paswan @ Dadan Ram S/o Munshi Paswan @ Munshi Ram R/O Village- Rajpur, P.S- Imadpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhawana Jha

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-06-2026 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a) and 37 of the Excise Act.

3. In view of the submissions made by the learned counsel for the petitioners, the defects as pointed out by the office is ignored.

4. It is next submitted that petitioner nos.1 and 2 have antecedent of one case, petitioner no.3 has antecedent of two



cases and petitioner no.4 is a person with clean antecedent and the allegation is of recovery of 40 litres of liquor from possession of three co-accused persons i.e. 15 litres of liquor from possession of Sanjeet, 10 litres of liquor from possession of Sunil and 15 litres of liquor from possession of Nandji.

5. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they have no concern or relation with the apprehended accused and they came to be implicated based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value.

6. Learned A.P.P. opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/ successor Court in



connection with Imadpur P. S. Case No. 18 of 2026, subject to the conditions laid down under Section 482(2) of the BNSS.

8. The application stands allowed.

9. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner nos.1 and 2 have antecedent of more than one case, petitioner no.3 has antecedent of more than two cases and petitioner no.4 has antecedent of even one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner nos.1 and 2 have antecedent of only one case, petitioner no.3 has antecedent of only two cases and petitioner no.4 is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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