

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36082 of 2026

Arising Out of PS. Case No.-80 Year-2026 Thana- PALANWA District- East Champaran

Mahanth Paswan Son of Kashi Paswan Resident of village- Sukhi Semra
Harizan Basti P.S.- Palanwa District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner is apprehending arrest in connection
with Palanwa P.S. Case No. 80 of 2026 lodged on 07.04.2026,
for the offence punishable under Sections 30(a) & 41(1) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

4. As per the prosecution, FIR has been lodged against
the sole petitioner. Total recovery of 5 litres of illicit liquor has
been made, which is the subject matter of the present case.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that nothing has been recovered from the conscious
possession of the petitioner and the alleged recovery has been



made from a cattle shed which is an open place and accessible to all. Counsel further submits that the name of the petitioner has transpired in this case only on the basis of disclosure made by local *chowkidar*. Counsel further submits that the petitioner has one criminal antecedent, but the same is not related to Excise Act.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of Exclusive Special Excise Court no.2, East Champaran at Motihari, in connection with Palanwa P.S. Case No. 80 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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