

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35327 of 2026

Arising Out of PS. Case No.-133 Year-2025 Thana- ANDHRATHARHI District- Madhubani

Rambabu Paswan Son of Late Fekan Paswan, Resident of Village - Akhari
Brindawan, P.S.- Ladaniya, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

2 21-05-2026 The matter was heard *via* video conferencing
mode.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner seeks bail in connection with
Andhratharhi P.S. Case No. 133 of 2025, registered for the
offences punishable under Sections 274, 275 and 3(5) of the
B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and
Excise Act.

4. As per the prosecution case, total 495 litres of
illicit country made liquor was recovered from a Tata Safari
vehicle.

5. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. The petitioner was not arrested from the spot and



nothing has been recovered from his conscious possession. The mandatory provision of search and seizure prescribed under Section 103 of the B.N.S.S., 2023 were not followed. Petitioner has no concern with the alleged recovery. Learned counsel lastly submits that petitioner has antecedent of four cases and he is in custody since 13.04.2026.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case and also considering the fact that petitioner was not arrested from the spot, nothing has been recovered from his conscious possession and further considering his period of custody, this Court is inclined to grant bail to the petitioner.

8. Accordingly, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Act, Jhanjharpur, Madhubani, in connection with Andhratharhi P.S. Case No. 133 of 2025.

9. It is made clear that any observation made herein



is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observation shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

Shahnawaz/-

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