

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38951 of 2026

Arising Out of PS. Case No.-31 Year-2026 Thana- Bhalpatti District- Darbhanga

1. Dharmendra Paswan Son of Ram Lakhan Paswan @ Binod Paswan Resident of Village- Bhalpatti, Tola, Mugalpura, Ward No. - 3, P.S.- Bhalpatti, District- Darbhanga.
2. Raghav Kumar Paswan @ Raghav Paswan Son of Ram Lakhan Paswan @ Binod Paswan Resident of Village- Bhalpatti, Tola, Mugalpura, Ward No. - 3, P.S.- Bhalpatti, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Advocate

For the Opposite Party/s : Ms. Renuka Ratnakar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-06-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 654 litres of liquor from a semi constructed house of Jagdish Paswan and nearby bushes.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even the alleged



recovery is from a place which does not belong to the petitioners and they came to be implicated based on the secret information which is the easiest way to implicate someone without holding a proper investigation of the case, when petitioners admittedly are persons with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, let the petitioners, above-named, in the event of their arrest or surrender within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) 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 Bhalpatti P.S. Case No. 31 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, it is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioners and if it is found that petitioners have antecedent of even one case, it would be presumed that petitioners had concealed their



antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioners are persons with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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