

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37455 of 2026

Arising Out of PS. Case No.-66 Year-2026 Thana- TETERHAT District- Lakhisarai

Jyotish Paswan @ Jyotish Kumar S/o Late Munshi Paswan Resident of
Village- Mahisona, P.S.- Tatarhat, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-06-2026 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Ms. Veena Kumari Jaiswal, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.04.2026 in connection with Tatarhat P.S. Case No. 66 of
2026, F.I.R. dated 24.04.2026 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 60 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has
been made from the house in question and petitioner is not the



absolute owner of the said house rather the same is the joint house property of the petitioner. It appears from the seizure list that seizure list witnesses are the police personnel so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioner is in custody since 25.04.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the house of the petitioner and apart from that the petitioner carries one criminal antecedent other than the present one but fairly submits that he is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge VII-cum-Exclusive Special Excise Court-II, Lakhisarai, in connection with Tetarhat P.S. Case No. 66 of 2026 subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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