

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37445 of 2026

Arising Out of PS. Case No.-216 Year-2026 Thana- Excise P.S. District- Rohtas

Sanjay Kumar Paswan @ Sanjay Paswan S/o Sri Bhagwan Paswan Resident
of Village- Khadihan, P.S - Baddi, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant, Advocate

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-06-2026 Heard Mr. Shashi Kant, learned counsel for the

petitioner and Mr. Suman Kumari Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
23.04.2026, in connection with Excise Case No. 1128 of 2026
read with Sasaram Excise Case No. 216 of 2026, F.I.R. dated
22.04.2026 registered for the offences punishable under Section
30(a) of Bihar Prohibition & Excise Act.

3. Recovery is of 110 litres of *illicit country made*
liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely 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 recovery has been made from the place of occurrence and petitioner has been made accused in the present case merely on the basis of suspicion and petitioner has no concern at all with the alleged recovery of illicit liquor or the motorcycle in question. The petitioner is in custody since 23.04.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Excise Case No. 1128 of 2026 read with Sasaram Excise Case No. 216 of 2026, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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