

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40205 of 2026

Arising Out of PS. Case No.-219 Year-2025 Thana- EXCISE BIRAUL District- Darbhanga

Raja Paswan, Son of Harekrishn Paswan, Resident of village - Chaukia Itahar,
Ward No.- 2, P.S. - Kuseshwar Ashtan, District -Darbhanga

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Biraul Excise

P.S. Case No.219 of 2025 registered under Sections 30(a)

of the Bihar Prohibition and Excise Act, 2016.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 20.500 liters of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for

petitioner that recovery of alleged illicit liquor was not made

from conscious possession of this petitioner. It is submitted

that the name of petitioner transpired in this case being the

registered owner of the pulsar motorcycle of petitioner from



where alleged recovery of illicit liquor was made, as the brother of petitioner has taken motorcycle for some urgent work. The petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from conscious physical possession of this petitioner, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to 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 the learned Special Judge-I, (Excise Act), Darbhanga in connection with Biraul Excise P.S. Case No.219 of 2025, subject to the conditions as laid down under Section 438(2) of the CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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