

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40863 of 2026**

Arising Out of PS. Case No.-234 Year-2021 Thana- ARARIA District- Araria

Saroj Kumar Paswan S/O Late Ganga Prasad Paswan R/O Village- Bidi Dak
Bangla, Madanpur, Biri Yadav Tola Taruna Bhojpur, PS-Tarabari, Distt-Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Gopal Kumar Jha, Advocate
For the Opposite Party : Mr.Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 24-06-2026 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner not is named in the FIR
and apprehending his arrest in connection with Araria P.S.
Case No.234 of 2021 registered under Sections 30(a) and
37(c) of Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 1.2 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for



the petitioner that the name of this petitioner arrayed solely for the reason that he is the owner of the registered motorcycle which was used for carrying liquor. It is also submitted that this petitioner has given his motorcycle to one, namely, Ravi Mandal who was apprehended from the spot. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. 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 note of the fact as recovery of illicit liquor *prima facie* not appears to be made from 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 Exclusive Special Judge Excise- 1st, Araria, in connection with Araria P.S. Case No.234 of



2021, 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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