

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41866 of 2026

Arising Out of PS. Case No.-95 Year-2026 Thana- EXCISE BIRAUL District- Darbhanga

Sudh Kumar Paswan @ Sudh Paswan S/O Sogarath Paswan R/O Village-
Lohani, PS- Biraul, Distt- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Jyoti Kumari, Advocate
For the Opposite Party : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 30-06-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Excise Biraul P.S. Case No.95 of 2026 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016(as amended).

3. Allegation against the petitioner is to engage in illegal trade/manufacturing of illicit liquor, where there is recovery of 20 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for the petitioner that the name of petitioner arrayed solely for the reason that the petitioner is the owner of motorcycle



bearing Registration No. BR07BE 9852, which was used by his minor son, namely, Prince Paswan, aged about 14 years. It is further submitted that the petitioner is not in any way connected with the alleged seized liquor and also the petitioner was not present at the place of occurrence. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. Explaining criminal antecedent, Petitioner found involved in one more case, where he is on bail.

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 Court of Exclusive Special Excise



Court- 1, Darbhanga, in connection with Excise Biraul P.S.
Case No.95 of 2026, 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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