

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43425 of 2026

Arising Out of PS. Case No.-15 Year-2025 Thana- Basmatia District- Araria

Aaditya Kumar Paswan @ Adity Kumar S/o Subans Lal Paswan @ Chotu
Paswan R/o Village - Koskapur, Ward No 11, P.S - Birpur, District - Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-07-2026 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 Basmatiya P.S.
Case No.15 of 2025 registered under Section 30(a) of Bihar
Prohibition and Excise Act, 2018.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 36 litres of IMFL/country-made liquor.

4. It is submitted by learned counsel appearing for
the petitioner that the recovery of alleged illicit liquor was
made from the motorcycle bearing Registration No. BR0502



4889, which was involved in carrying illegal consignment of liquor. It is also submitted that the name of petitioner arrayed solely on the disclosure of co-accused, namely, Jay Krishna Kumar Mehta, who was apprehended on the spot. It is further argued that petitioner is neither the owner of said motorcycle nor the petitioner was apprehended on spot. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is also submitted that the seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. 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, who is a man of clean antecedent, 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- I, Araria, in connection with Basmatiya P.S. Case No.15 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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