

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44717 of 2026

Arising Out of PS. Case No.-228 Year-2025 Thana- GOVINDGANJ District- East
Champaran

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Dilip Paswan @ Dilip Kumar, S/o Rajeshwar Paswan, Resident Of Village-
Jitwarpur, PS- Govindganj, Dist- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-07-2026 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 Govindganj P.S.
Case No.228 of 2025 registered under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act.

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 seized illicit liquor was recovered from
a *cattle shed*, which is an open place accessible to the



general public and, therefore, it cannot be said that the alleged recovery was made from the conscious possession of the petitioner. It is further submitted that seizure list also appears doubtful being not supported by independent witnesses rather than by police personnel. It is also pointed out that the name of the petitioner surfaced solely on the disclosure made by a local Chaukidar. The petitioner has one criminal antecedent of similar nature, in which, 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 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 Additional Sessions Judge-cum-Exclusive Special Excise Judge-I, Motihari, East Champaran



in connection with Govindganj P.S. Case No.228 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.)

Raushan/-

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