

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43055 of 2026

Arising Out of PS. Case No.-62 Year-2025 Thana- EXCISE SIMRAHI District- Supaul

BHARAT PASWAN S/O RAM PRASAD PASWAN R/O Vill.- Ranipatti
Ward No 1, P.o- Banailipatti, P.s.- Birpur, District- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nafisu Zzoha, Advocate
For the Opposite Party : Mr. Abhay Kumar, 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 Excise Simrahi P.S. Case No.62 of 2025 registered under Section 30(a) of 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 160 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 a three wheeler vehicle bearing Registration No.



BR11PC 9509, and the petitioner is the registered owner of the said vehicle. It is also submitted that name of petitioner arrayed solely on the disclosure made by the local villager. It is further submitted that the said vehicle was hired by someone for carrying the sack. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further argued 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 Court No.2, Supaul, in connection with Excise Simrahi P.S. Case No.62 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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