

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44796 of 2026

Arising Out of PS. Case No.-134 Year-2026 Thana- SAHPUR District- Bhojpur

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Bir Bahadur Paswan S/O Mohan Paswan Resident of Village- Ranisagar,
ward no.3 , P.S.- shahpur, District -Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Malti Kumari, Advocate
For the Opposite Party : Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 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 Shahpur P.S.
Case No.134 of 2026 registered under Section 30(a) of
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Allegation against the petitioner is to engage in
illegal trade/manufacturing of illicit liquor, where there is
recovery of 22.6 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 house of petitioner which is a joint family



property and the same is not in the exclusive possession of this petitioner. It is also submitted that name of petitioner arrayed solely on the disclosure made by the local chowkidar. It is also submitted that recovery of illicit liquor was not made from conscious possession of this petitioner. It is further 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, 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



Judge-2, Bhojpur, Ara, in connection with Shahpur P.S. Case
No.134 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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