

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47733 of 2026

Arising Out of PS. Case No.-183 Year-2025 Thana- Excise Jhanjharpur District- Madhubani

Arun Kumar Paswan Son of Late Ram Deo Paswan Resident of Mohalla -
Sudai Ratauli, P.S.- Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mani Shankar Kumar, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Excise Jhanjharpur P.S. Case No. 183 of 2025, registered for the offences punishable under Sections 30 (a) of the Bihar Prohibition and Excise Act.

3. The police on a tip-off regarding storage and sale of illicit wine conducted raid in a poultry farm, which is admittedly run by co-accused Amarnath Paswan, and this petitioner happens to be owner of the premises. Noticing the police party, two persons succeeded in fleeing away and one of them identified as the petitioner. In course of search, total 697.725 liters Indian made foreign liquor was recovered.

4. Learned Advocate for the petitioner submitted that



from the FIR it is evident that the poultry farm, in question, from where the alleged recovery has been made, the same was being run by the co-accused Amarnath Paswan. In fact, on 01.04.2023, the petitioner had entered into an agreement and the premises has been handed over to co-accused Amarnath Paswan on lease for consideration money of Rs. 2,300/- per month, and he has nothing to do with the poultry farm. During the course of investigation, no materials have surfaced which suggest the complicity of the petitioner in crime, except he being owner of the premises, which has been handed over to co-accused on lease agreement. It is further contended that there is complete defiance of Sections 103(4) and 105 of the BNSS, besides the petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that a huge recovery of illicit wine has been made from the poultry farm, which is owned by the petitioner.

6. Regard being had to the submissions made on behalf of the parties and taking note of the agreement of lease in favor of the co-accused Amarnath Paswan, the copy of which is marked as Annexure 2 to the application, besides no other material attracting the rigors provided under Section 76(2) of



the Bihar Prohibition and Excise Act, coupled with the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Jhanjharpur in connection with Excise Jhanjharpur P.S. Case No. 183 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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