

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45901 of 2026

Arising Out of PS. Case No.-72 Year-2026 Thana- Lakho District- Begusarai

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Pramod Kumar @ Pramod Paswan S/o Dev Narayan Paswan @ Devo Paswan
R/o Village/Mohalla - Lakho Ward no. 07, P.S. - Lakho, Dist. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 259.2 litres of liquor from the house of the
petitioner and nearby places along with 345.6 litres of liquor
from a corn field and a motorcycle was seized.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of
the seized motorcycle and the house in question is a joint family



property as such it cannot be alleged with certainty that it was petitioner who had kept the liquor in the house or the liquor kept in the house was within knowledge of the petitioner. It is next submitted that after amendment in the Excise Act in the year 2018, the concept of deemed possession and presumed offender has been done away with and he came to be implicated based on confessional statement of Shivam and Chhotu in police custody which does not have any evidentiary value owner.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Lakho P.S. Case No. 72 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. It is made clear that thereafter the learned Trial Court shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of even one case then it would be presumed that petitioner, for the purposes of



seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner is a person with clean antecedent in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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