

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47287 of 2026

Arising Out of PS. Case No.-154 Year-2026 Thana- PANDAUL District- Madhubani

Yogi Paswan @ Jogi Paswan S/o Juge Paswan R/o Village - Vijay Salempur,
P.S - Pandaul, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Pandaul P.S. Case No.154 of 2026 for allegedly having committed offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant, to the effect that while he was on patrolling duty, he received a secret information that in Vijai Salempur the petitioner and one another person have concealed illegal country made liquor beside their house and are selling the same. After giving information to the higher police authorities, the informant went to the place of occurrence to verify the authenticity of the



information along with the Chowkidar and reached near the house of the petitioner and the co-accused person at around 03:50 hours. Upon seeing the police vehicle, both the persons started fleeing away and despite chase, they could not be apprehended. The Chowkidar identified the persons, who fled away as the petitioner and one Bhogi Paswan. From the bushes behind the house of the petitioner total 54 litres of country made liquor was recovered and on the basis of the said recovery the present First Information Report has been lodged.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He was not present at the place of occurrence, therefore there is no question of any recovery from his possession. She further submits that total 54 litres of country made liquor is said to have been recovered from the bushes behind the house of the petitioner and other co-accused, however the petitioner has got no concern with the said seized liquor. The name of the petitioner transpired in the present case only on the basis of the identification made by the local Chowkidar, who disclosed that the persons who fled away was the petitioner and the co-accused. She further submits that the place of recovery is an open place which is accessible to all. She submits that the



petitioner has got one criminal antecedent of similar nature bearing Pandaul P.S. Case No.154 of 2025, in which he is on bail.

5. *Per contra*, the learned A.P.P. for the State opposes the prayer for grant of anticipatory bail to the petitioner and submits that the petitioner has got a criminal antecedent of similar nature.

6. Having considered the rival submissions and after going through the records, it appears that total 54 litres of country made liquor was recovered from the bushes behind the house of the petitioner, which is an open place and the petitioner was not present at the place of occurrence. His name transpired in the present case on the basis of the identification made by the local Chowkidar who disclosed that the persons who fled way was the petitioner and one another person.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, 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, Madhubani in connection with Pandaul P.S. Case No.154 of 2026, subject to the conditions laid



down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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