

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50216 of 2026

Arising Out of PS. Case No.-190 Year-2026 Thana- DIGHWARA District- Saran

1. Bharat Paswan @ Bharat Ram S/o Late Moti Paswan @ Moti Ram R/o Village- Raipatti, PS- Dighwara, Distt- Saran
2. Raju Paswan @ Raju Ram S/o Late Devnath Paswan @ Devnath Ram R/o Village- Raipatti, PS- Dighwara, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dighwara P.S. Case No. 190 of 2026 dated 10.05.2026 for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, altogether 36 liters of country made liquor was recovered behind a fish market, concealed under the earth. The petitioners are alleged to have been identified the person, who fled away from the alleged place of occurrence by the local *chowkidar*.

4. Learned counsel for the petitioners has submitted



that the petitioners have falsely been implicated in this case. It has further been submitted that the place of recovery is an open space and accessible to all. It has further been submitted that nothing has been recovered from the conscious possession of the petitioners and the procedure prescribed under Section 103/105 of the BNSS has not been followed. It has lastly been submitted that the petitioner no. 2 has got no criminal antecedent, while the petitioner no. 1 has been made accused in three other cases of similar nature, but one of them he has been acquitted of the charges and in two cases, he is on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Heard the learned counsel for the parties and perused the records.

7. Considering the aforesaid facts and circumstances of the case as well as the material available on record, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court Additional Sessions Judge-Cum-Exclusive Special Court Excise Act-1,



Saran at Chapra in connection with Dighwara P.S. Case No. 190
of 2026, subject to conditions as laid down under section 482(2)
of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

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