

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50016 of 2026

Arising Out of PS. Case No.-326 Year-2026 Thana- VAISHALI District- Vaishali

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1. Bhunesh Paswan @ Bhuneshwar Paswan S/o Fakirchand Paswan R/o Village - Chakmaruf, Maganpur, Goraul, Bhagwanpur, P.S. - Belsar O.P., Dist. - Vaishali.
 2. Narayan Paswan S/o Fakirchand Paswan R/o Village- Chakmaruf Maganpur, Post. - Chakmaruf, Goraul, PS. - Belsar O.P., Dist. - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 27-07-2026 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The petitioners are apprehending their arrest in connection with Vaishali (Belsar O.P.) P.S. Case No. 326 of 2026 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. The allegation against the petitioners in the FIR is of recovery of 6 litres from the house of petitioner no. 1 and 8 litres adjacent to house of petitioner no. 2.

4. Learned counsel for the petitioners submitted that the petitioners have been falsely implicated in the present case and there is no recovery as alleged. The seizure is not in



conformity with the requirements of law. False implication is due to local rivalry and at the instance of local influential person, who are inimical to petitioners, in that connection he has submitted that the false implication further evident from the clean antecedent of the petitioners.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Having considered the submissions of the parties, in particular that petitioners are men of clean antecedents, let the petitioners, named above be released on anticipatory bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each of the satisfaction of learned Exclusive Special Excise Court No. 2nd- cum-District & Addl. Sessions Judge, Vaishali at Hajipur/concerned court, in connection with Vaishali (Belsar O.P.) P.S. Case No. 326 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS, with further conditions that:-

“(i) One of the bailors shall be family member of the petitioners.

(ii) Petitioners shall cooperate in further investigation if any, in case of



non-compliance of aforesaid conditions, the informant/State shall be at liberty to press for cancellation of bail bond of the petitioners before the learned trial court itself, which be decided, after giving fair opportunity of hearing to the petitioners.”

(Ranjan Kumar Jha, J)

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