

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49766 of 2026

Arising Out of PS. Case No.-476 Year-2026 Thana- EXCISE NAUGACHIA District-
Bhagalpur

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Santosh Paswan S/o Manikchandra Paswan Resident of Village- Dohatbari
Kishanganj, Udakishanganj, P.S.- Udakishanganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swati Parmar, Adv.
For the Opposite Party/s : Mr.Khurshid Anwar, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner as well

as the learned APP for the State.

2. The petitioner is seeking regular bail in connection
with Excise (Naugachia) P.S. Case No. 476/2026 dated
03.05.2026 registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the FIR allegation, 133.92 liters Indian
made foreign liquor has been recovered from the Auto
rikshaw.

4. Learned counsel for the petitioner submits that
petitioner is driver and as such he had no knowledge of the
said articles that they were kept in the auto rickshaw. Learned
counsel for the petitioner further submits the Section 103 of



the BNS has not been complied with. Lastly, learned counsel submits that petitioner is in custody since, 04.05.2026, having a clean antecedent.

5. Learned APP on behalf of the State has opposed the application.

6. Taking into consideration the entire facts, prayer for bail is allowed and the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Exclusive Special Exercise Judge-1st , Bhagalpur in connection with Excise (Naugachia) P.S Case No. 476/2026,subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any other case except the present one, his bail bond shall not be accepted.

(iv) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two



consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(Raj Kumar, J)

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