IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77327 of 2026

CNR No. BRHC011107292026

Arising Out of PS. Case No.-635 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

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Rajesh Paswan S/O Chandrika Paswan R/O Vill.- Dakra, P.S- Makhadumpur, Distt.- Jehanabad.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Paras Nath, Advocate
For the Opposite Party/s : Ms.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Makhdumpur (Tehta) P.S. Case No. 635 of 2024, instituted for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of 6.750 litre Indian made foreign liquor from the motorcycle of the petitioner, which was driven by the co-accused Rahish Kumar, who was arrested on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case being registered owner of the seized motorcycle. Learned counsel submits that co-accused Rahish Kumar had taken the

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petitioner's motorcycle from his son for his personal work but he misused it without consent or knowledge of the petitioner. Petitioner has no concern with the seized liquor. Although, petitioner has four criminal antecedents but the same do not belong to Excise Act and he is on bail in all those cases. He undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case, submission of learned counsel for the parties and petitioner had no knowledge about the misdeed of co-accused Rahish Kumar, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-I, Jehanabad in connection with Makhdumpur (Tehta) P.S. Case No. 635 of 2024, subject to the conditions laid down in Section 482 (2) of the Bharatiya Nagrik Suraksha Sanhita (B.N.S.S.), 2023.

(Sunil Dutta Mishra, J)

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