

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83470 of 2025

Arising Out of PS. Case No.-349 Year-2025 Thana- NASRIGANJ District- Rohtas

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1. Paras Chaudhary S/o Ram Govind Chaudhary R/o Village - Mahadeva, P.S - Nasriganj, District - Rohtas
 2. Pintu Paswan S/o Kasim Paswan R/o Village - Mahadeva, P.S - Nasriganj, District - Rohtas
 3. Ramashankar Paswan S/o Ramjee Paswan R/o Village - Mahadeva, P.S - Nasriganj, District - Rohtas
 4. Prince Paswan S/o Balmiki Paswan R/o Village - Mahadeva, P.S - Nasriganj, District - Rohtas
 5. Karmu Paswan S/o Late Mahadeo Paswan R/o Village - Mahadeva, P.S - Nasriganj, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018/2022.

3. Learned counsel for the petitioners submits that petitioners no.1 to 4 are persons with clean antecedent and petitioner no.5 has antecedent of one case and allegation is of recovery of 45 litres of liquor along with 1000 litres of Mahua



Paas which was destroyed at the bank of Son river. It is next submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners but then is accessible to villagers at large and they came to be implicated at the instance of local person but then name of the person, who disclosed the name of the petitioners, is not disclosed in the FIR, which casts an aspersion on the case of the prosecution.

4. Learned A.P.P. opposes the anticipatory bail application.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on provisional anticipatory bail on their furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-II, Rohtas at Sasaram in connection with Nasriganj P.S. Case No.349 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.



7. It is made clear that the learned trial Court after accepting the provisional bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners no.1 to 4 have antecedent of even one case and petitioner no.5 has antecedent of more than one case, then it would be presumed that petitioners for the purposes of obtaining anticipatory bail had concealed their antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioners no.1 to 4 are persons with clean antecedent and petitioner no.5 has antecedent of only one case, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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