

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.506 of 2026**

Arising Out of PS. Case No.-321 Year-2025 Thana- Excise P.S. District- Madhubani

Ashok Paswan @ Ashok Kumar Paswan Son of Bhagawan Jee Paswan  
Resident of Village - Dokahar, P.S. - Kaluahi, Dist. - Madhbani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      15-01-2026                      1. Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 30(a),  
30(d), 30(f), 33 and 34 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that  
petitioner has antecedent of one case and allegation is of  
recovery of 20 litres of spirit from a motorcycle, 61 litres of  
liquor from a shop along with some empty liquor bottles and  
1.500 litres of colour liquid was seized.

4. Learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession. It is further submitted  
that petitioner is neither the owner of the seized vehicle nor the  
shop and he came to be implicated based on the confessional



statement of apprehended accused in police custody which does not have any evidentiary value in the eye of law.

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

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhubani Sadar Excise P.S. Case No. 321 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C./482(2) of the BNSS.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than one case, it would be presumed that petitioner had concealed his antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that



petitioner 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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