

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1407 of 2026

Arising Out of PS. Case No.-304 Year-2025 Thana- NADI P.S. District- Patna

1. Bikki Kumar @ Bikki Parnab S/o Raj Kumar Paswan R/o Village- Fatehjanpur, PS- Nadi, Distt- Patna
2. Kapil Paswan @ Suddan Paswan @ Bhulena S/o Ramsharan Paswan R/o Village- Fatehjanpur, PS- Nadi, Distt- Patna
3. Ekki Kumar @ Ekki Paswan S/o Raj Kumar Paswan R/o Village- Fatehjanpur, PS- Nadi, Distt- Patna
4. Ravi Paswan @ Ravi Kumar S/o Prameshwar Paswan R/o Village- Fatehjanpur, PS- Nadi, Distt- Patna
5. Banti Paswan @ Banti Kumar S/o Prameshwar Paswan R/o Village- Fatehjanpur, PS- Nadi, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) Bihar Prohibition and Excise, 2016 as well as Sections 191(2), 191(3), 190, 132, 324(4), 324(5), 263, 352, 351(2) and 351(3) of B.N.S., 2023.

3. Learned counsel for the petitioners submits that petitioners no.1 and 5 have antecedent of one case and



petitioners no.2, 3 and 4 are persons with clean antecedent and allegation is of recovery of 870 ml. of liquor from house of Sanjay Kumar. 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 and have no relation or concern with Sanjay Kumar but then it is alleged that petitioners along with other accused persons were opposing the arresting of Sanjay Kumar.

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 Court of Excise, Patna City, Patna in connection with Nadi P.S. Case No.304 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 and 5 have antecedents of more than one case and petitioners no.2, 3 and 4 have antecedent of even 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 petitioner no.1 and 5 has antecedent of only one case and petitioners no.2, 3 and 4 are persons with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

Sanjay/-

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