

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1677 of 2026

Arising Out of PS. Case No.-146 Year-2025 Thana- BHAIKAVSHTHAN District-
Madhubani

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Ratan Paswan S/O Late Rambilash Paswan @ Pachu Paswan R/O Village-
Raiyam, PS- Bhairavsthan, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-01-2026 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 274, 275
and 3(5) of the BNS, 2023 read with Section 30(a) of the Bihar
Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases under the excise act and
allegation is of recovery of 80 liters of liquor along with 2500
liters of jaggery solution from six different places and the
jaggery solution was destroyed.

4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing



was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner and is accessible to villagers at large and he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of *Chowkidar*, local person, confessional statement or secret information without holding a proper investigation.

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, 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. 15,000/- (Rupees Fifteen 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 Bhairavsthan P.S. Case No. 146 of 2025 subject to the conditions as laid down under Section 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 in the event if it is found that petitioner has antecedent of more than three cases then it would be presumed that petitioner, for the purposes of seeking anticipatory bail, had concealed his antecedent before this Court, as such, the provisional anticipatory bail order shall not be confirmed, but after verification if it is found that petitioner has antecedent of three cases only, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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