

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12312 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- Excise P.S. District- Samastipur

Deepak Kumar @ Vikki Sah Son of Umesh Sah Resident of Village-
Rupnarayanpur Bela, Ward No. 4, P.S.- Karpurigram, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. A perusal of the first information report and the seizure list would go to show that 79.200 liters of foreign liquor is said to have been recovered from one of the rooms of the house of the petitioner.

4. Learned counsel for the petitioner submits that the house from where the recovery has been made is a joint family property and the said recovery was made at the back of the petitioner and, due to being in dilapidated condition, no body resides in the said house. It is further submitted that no



recovery has been made from the physical or conscious possession of the petitioner and the mandatory provisions of the Cr.P.C. have also been violated as the seizure list has not been signed by any independent witness.

5. Learned APP submits that the petitioner has one criminal antecedent of the same nature of the offence to which learned counsel for the petitioner responds that the petitioner has already been granted bail in the said case.

6. Considering the abovementioned facts and circumstances, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sadar Excise P.S. Case No.16 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482 (2) B.N.S.S. and subject to the further condition that:-

(i) The petitioner shall cooperate in the investigation/trial.



(ii) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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