

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15401 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- AGAMKUAN District- Patna

Deepak Kumar S/O Suraj Sahani Resident of Village- Pahetiya, Ward No.- 8,
Post- Dharhara, Police Station- Lalganj, District- Vaishali.

... .. 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 : Mr.Binod Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 07-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Agamkuan P.S. Case no.47 of 2025 registered under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

3. As per the prosecution case, 282 liters of foreign
liquor was recovered from a Pickup Van bearing Registration
No. BR-01GN-3053.

5. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The petitioner
is not named in the F.I.R and cause of his false implication is
only for the reason that he happens to be the registered owner of
the seized van. However, learned counsel for the petitioner



further stated in paragraph no. 7 to the petition that the said van was being driven by his driver and he was not aware that the vehicle was put to any illegal use. No recovery has been made from the physical or conscious possession of the petitioner. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State.

7. At this stage, the petitioner has agreed to deposit an amount of Rs. 5,000/- in Patna High Court Legal Services Committee.

7. In view of the facts of the case that the petitioner has no criminal antecedent as also no recovery has been made from physical or conscious possession from him, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Agamkuan P.S. Case no.47 of 2025 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 Exclusive Special Court, Excise, Patna City, Patna, subject to the condition laid down under Section 438(2) of the Code of Criminal



Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(I) The learned Court below would however, 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.

(II) The bail bonds of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee.

(Soni Shrivastava, J)

Harsh/-

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