

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16573 of 2025

Arising Out of PS. Case No.-100 Year-2024 Thana- AGIAON BAZAR District- Bhojpur

Deepak Kumar @ Deepak Kumar Yadav Son of Heeralal Yadav Resident of
Village- Khannikala, P.S.- Agiaon Bajar, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-03-2025 Heard Mr. Paras Nath, learned counsel appearing on
behalf of the petitioner and Mr. Ajit Kumar, learned APP for the
State.

2. The petitioner seeks pre-arrest bail in connection
with Agiaon Bajar P.S. Case No. 100 of 2024 registered for the
offence punishable under Section 30(a), 44/45 of the Bihar
Prohibition and Excise Amendment Act, 2018 and Sections 147,
148, 149, 341, 323, 324, 325, 307, 308, 332, 333, 336, 337, 338,
353, 224, 225, 426, 427 of the I.P.C. and Section 3 of the Public
Property Damage (Prevention) Act, 1984.

3. As per the allegation made in the FIR, 10 liters of
country made Mahua liquor is said to have been recovered from
the house of co-accused Sudarshan Musahar, in course of search
conducted by the police officer. The accused persons restrained



and assaulted the police party. The FIR is against 44 persons.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He has no concern either with the seized liquor or trade of liquor in any manner. Recovery has been made from the house of co-accused Sudarshan Musahar. There is general and omnibus allegation has been leveled against the petitioner. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. In the facts and circumstances of the case, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court – I, Jehanabad in connection with Agiaon Bajar P.S. Case No. 100 of 2024 , subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify



the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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