

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26769 of 2025

Arising Out of PS. Case No.-584 Year-2024 Thana- PAHARPUR District- East Champaran

Deepak Das @ Deepak Kumar S/o- Sudama Das Resident of Village -
Bhutaha Ward No. 10, P.S. - Paharpur, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2025 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 30(a), 41
and 52 of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 47.16 liters of liquor from hut of the petitioner and
12 liters of liquor from house of Mohan Paswan.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged
recovery is from a hut which does not belong to the petitioner
and he came to be implicated at the instance of Chowkidar with



whom he is on an inimical term. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically.

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. 10,000/- (Rupees Ten 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 Paharpur P.S. Case No. 584 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned Trial Court after accepting the provisional anticipatory bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two 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 shall not be confirmed, but in the event if it is found that petitioner has antecedent of two cases only in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

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