

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35421 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- ARA NAWADA District- Bhojpur

Deepak Kumar S/o Upendar Kumar Singh R/o Vill.- Perhep, P.S.- Sahar,
Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate
For the State : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Ara Nawada P.S. Case No. 128 of 2025,
dated 22.02.2025, registered for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per allegation, one litre of illicit liquor has been
recovered from a scooty vehicle and as per further case of the
police, the petitioner and co-accused Abhishek Kumar was
riding the scooty and after seeing the police, they started fleeing
away. However, the petitioner was successful in fleeing away,
but the co-accused Abhishek Kumar was arrested and he stated
to the police that the person who fled away was the petitioner.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not present at the place of recovery and hence, he is no way connected with the alleged offence. There is no material in support of the prosecution case against the petitioner, except the so-called statement of the co-accused which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Ara Nawada P.S. Case No. 128 of 2025, subject to the



conditions as laid down under Section 482 (2) of the B.N.S.S.,
2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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