

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55859 of 2025

Arising Out of PS. Case No.-544 Year-2024 Thana- DHAKA District- East Champaran

Deepak Raut @ Deepak Kumar S/o Arvind Raut Resident of Village - Jihuli,
P.S. - Patahi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in a case registered under Sections 281, 125 of Bharatiya Nyaya Sanhita and Sections 30(a), 37 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 11.4 litres of illicit liquor from two motorcycles. Two co-accused persons, namely, Om Prakash Kumar and Bhola Sahani were apprehended on the spot and disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case only on the disclosure made by apprehended co-accused persons. Further submission is that petitioner is neither the



owner nor the driver of the seized motorcycles. Petitioner has no concern with the seized illicit liquor. Nothing has been recovered from the conscious possession of the petitioner. Except the disclosure statement of apprehended co-accused persons, there is nothing material against the petitioner. Petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon 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 Excise Court No. 3, Motihari, East Champaran in connection with Dhaka P.S. Case No. 544 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023.

(Sunil Dutta Mishra, J)

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