

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70534 of 2025

Arising Out of PS. Case No.-387 Year-2018 Thana- SONEPUR District- Saran

Deepak Rai S/O Chandeshwar Rai R/O- Sabalpur, Chaharam, P.S.- Sonapur,
Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate

For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on secret information
received by the police that the named accused persons including
the petitioner are involved in the manufacturing of illicit liquor
and to verify the said information when the police reached at the
place of occurrence/ marked place, 5 liters of country-made
liquor along with two gas cylinders and other materials used for
preparing the illicit liquor was recovered. On seeing the police,
the petitioner and other co-accused persons fled away from the
spot.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case merely on the ground of suspicion. Petitioner had earlier filed the anticipatory bail before this Court and vide order dated 13.04.2023 passed in Cr. Misc. No. 3324/2023 his anticipatory bail was rejected. Learned counsel submits that there is no recovery of incriminating material from the conscious possession of the petitioner and petitioner has no concern with the seized liquor. He further submits that the petitioner himself surrendered in the other cases and has been remanded in this case and he is in custody since 19.08.2025. Petitioner has got 8 criminal antecedents out of which in two cases, he has been granted bail.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner and submits that petitioner is a habitual criminal involved in the illegal business of illicit liquor. He has 8 criminal antecedents of similar nature. He further submits that the prayer of anticipatory bail of the petitioner was rejected vide order dated 13.04.2023 and he has not surrendered himself in this case before the concerned court. Further he submits that petitioner being the habitual criminal of similar nature, he is not entitled for bail.

6. Having considered the facts and circumstances of



the case, submissions on behalf of the parties and also considering the fact that he is a habitual criminal having 8 criminal antecedents of similar nature and also the conduct of the petitioner, this Court is not inclined to grant him privilege of regular bail.

7. Accordingly, the prayer for regular bail of the petitioner stands rejected.

(Sunil Dutta Mishra, J)

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