

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3539 of 2026

Arising Out of PS. Case No.-170 Year-2021 Thana- SINGHWARA District- Darbhanga

Deepak Kumar Son of Munna Lal Resident of House No. 55, Nandani
Enclave, P.S. - Nandgram, District - Ghaziabad (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a), 41(i) and
41(ii) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 1827 litres of liquor from a truck. It is next
submitted that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and is not
the owner of the seized truck and he came to be implicated
based on the disclosure made by the owner of the truck that he
had entered into an agreement for transportation of puffed rice
with the petitioner but then it is submitted that no prudent



businessman would commit an occurrence which shall bring disrepute to his own business. It is also submitted that petitioner was completely unaware that driver of the vehicle would misuse the vehicle in the manner as alleged, who was also arrested from the spot along with Rohit Kumar. It is also submitted that owner of the truck has been granted the privilege of anticipatory bail by an order dated 22.12.2025, passed in Cr. Misc. No.88445 of 2025 by a learned Coordinate Bench.

4. Learned A.P.P. opposes the anticipatory bail application.

5. 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 Court below within a period of six weeks, is directed to be released on provisional anticipatory bail on his furnishing bail-bond in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Singhwara P.S. Case No.170 of 2021, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

6. The application stands allowed.

7. It is made clear that the learned trial Court after



accepting the provisional bail bond of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, then it would be presumed that petitioner for the purposes of obtaining anticipatory bail had concealed his antecedent before this Court, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

8. At this stage, learned counsel for the petitioner, based on instruction, submits that petitioner undertakes to deposit an amount of Rs.2500/- with Advocates' Association, Patna High Court within a period of two weeks from today.

(Satyavrat Verma, J)

Sanjay/-

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