

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11835 of 2026

Arising Out of PS. Case No.-964 Year-2025 Thana- Excise P.S. District- Nawada

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Dipu Saw @ Deepak Kumar Son of Krishna Saw @ Krishna Sav Resident of
Village- Gurpa, P.S.- Gurpa, District- Gayaji Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in Nawada
Excise P.S. case No. 964 of 2025 registered under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 330
liters liquor was recovered from Car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no criminal antecedent. No
incriminating material has been recovered from the conscious
possession of the petitioner. It is further submitted that the name
of the petitioner has transpired on the basis of disclosure made
by apprehended co-accused which has no evidentiary value in
the eye of law. The car in question does not belong to the



petitioner. The petitioner has got no knowledge and concern with the alleged recovery of liquor. Learned counsel, therefore, submits that prima facie, no case is made out against the petitioner. There is no compliance of Section 103 of B.N.S.S., 2023. Co-accused has been granted regular bail by this Bench vide Annexure-P/2 to this application.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Nawada Excise P.S. case No. 964 of 2025, subject to the conditions as laid down under Section 482 (2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Pankaj/-

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