

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11936 of 2026

Arising Out of PS. Case No.-861 Year-2025 Thana- Excise P.S. District- Gopalganj

Deepak Kumar S/o Amarnath Yadav Resident of Village- Harpur Tengrahi,
P.S.- Mohammadpur, Dist.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

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

ORAL ORDER

2 23-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
(Gopalganj) P.S. Case No. 861 of 2025 instituted for the
offences punishable under Sections 30(a), 32 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 120.960
litres of liquor was recovered from car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the owner of the vehicle. It is further
submitted that petitioner is the driver of the vehicle in question



but he had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 26.12.2025 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Gopalganj) P.S. Case No. 861 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(Rudra Prakash Mishra, J)

Alok Verma/-

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