

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15882 of 2026

Arising Out of PS. Case No.-182 Year-2025 Thana- SIDHWALIYA District- Gopalganj

Deepak Nutt S/O Sonelal Nutt @ Sonelal Nat R/O Vill.- Rampur, P.S.-
Sidhwaliya, Dist.- Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Raj, Adv.

For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Sidhawaliya P.S. Case No.182 of 2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 pending before the Court of Addl. Sessions Judge-XIII -cum- Special Judge Excise Court No.1, Gopalganj.

3. As per the prosecution, the total recovery of 24 litres of illicit liquor have alleged to be made, which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was not present on the place of



occurrence and his name has been transpired only on suspicion. The said recovery has not been made in conscious possession of the petitioner. He further submits that criminal antecedent of the petitioner is not clean as there is one criminal case (relating to excise matter) pending against him, in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there is one criminal case (relating to excise matter) pending against him and this aspect must be taken into consideration.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 6 weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order.

(Dr. Anshuman, J)

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