

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20999 of 2026

Arising Out of PS. Case No.-164 Year-2025 Thana- SILAO District- Nalanda

Deepak Kumar @ Bada Babu Son of Jagdish Yadav @ Jagdish prasad R/o -
Bakra, P.S - Giriak, (Pawapuri OP), District - Nalanda

... .. 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 : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-03-2026 Heard Mr. Amresh Kumar Sinha, learned counsel
for the petitioner and Mr. Shyam Bihari Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.01.2026 in connection with Silao P.S. Case No. 164 of 2025,
F.I.R. dated 07.06.2025 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 2100 liters of cane beer.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case on the basis of secret information. He further
submits that the allegation as alleged in the F.I.R. is false and
fabricated and the petitioner has not committed any offences as
alleged in the F.I.R. It appears from the FIR itself that petitioner



was not apprehended at the place of occurrence and only on the basis of suspicion and due to his previous criminal antecedents, the petitioner has been made accused in the present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from a pick-up van. The seized vehicle does not belong to the petitioner and the petitioner is in custody since 20.01.2026 after remand from Bihar P.S. Case No.547 of 2025 in which petitioner was in custody since 10.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries ten criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Biharsharif, Nalanda in connection with Silao P.S. Case No. 164 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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