

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24926 of 2026

Arising Out of PS. Case No.-55 Year-2026 Thana- EXCISE MAHARAJGANJ District-
Siwan

=====

Dipak Yadav @ Deepak Yadav S/o Dhanej Yadav Resident of Village - Siraj
Indauli, Ward No. 14, P.S. - Jamo Bazar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-04-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Excise Maharajganj P.S. Case no. 55 of 2026, registered under sections 30(a) and 44 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that having received information about the petitioner accumulating liquor for sale, it is stated that a raid was conducted. While an accused Vishal Kumar was arrested, one another accused managed to escape taking benefit of darkness. It is further stated that the accused who was caught disclosed the name of the person who had managed to escape as the petitioner



herein. A total of 86.4 litres of IMFL was recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Neither any incriminating article was recovered from the possession of the petitioner nor does he have any concern with the seized article or with the land in question. The only material against him is the statement of a co-accused made before police. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., the petitioner not having been arrested at the spot and no incriminating article having been recovered from his possession, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise Maharajganj P.S. Case no. 55 of 2026 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, (Excise) Court no.2, Siwan on the following condition :



(I) If it subsequently transpires that the petitioner has an antecedent under the Bihar Prohibition and Excise Act, 2016, the prosecution will be at liberty to move this Court for cancellation of bail granted to the petitioner.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

