

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24269 of 2026

Arising Out of PS. Case No.-11 Year-2026 Thana- ALINAGAR District- Darbhanga

Subodh Lal Deo @ Subodh Kumar Deo S/o Viveka Nand Dev @ Vivekanand
Lal Dev Resident of Village- Tikapatti, P.S.- Alinagar, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Saurav Anand, learned counsel for the
petitioner and Mr. Arun Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
28.02.2026, in connection with Alinagar P.S. Case No. 11 of 2026,
F.I.R. dated 02.02.2026 registered for the offences punishable
under Sections 30(a) of the Bihar Prohibition & Excise Act.

3. Recovery is of 403.2 litres of *country made Nepali*
liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R. that
nothing has been recovered from the conscious possession of the
petitioner and altogether 403.2 litres of country made Nepali
liquor has been recovered from the ditch inside orchard and the



petitioner fled away from the place of occurrence. He further submits that the petitioner has no concern at all with the alleged recovery of illicit liquor and he has been made accused in the present case on the basis of suspicion. As per allegation in the F.I.R. the petitioner and other co-accused persons have fled away from the place of occurrence and the name of the petitioner has been transpired on the basis of disclosure made by local people and there is non-compliance of Sections 103 and 105 of BNSS, 2023 and the petitioner is in custody since 28.02.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner fled away from the place of occurrence and apart from that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the case has been compromised between the parties and disposed of in Lok Adalat.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-II (Excise



Act), Darbhanga in connection with Alinagar P.S. Case No. 11 of 2026, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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