

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26813 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- GHOGHARDIHA District- Madhubani

Deepak Yadav @ Deepak Kumar Yadav S/O Ramanand Yadav R/O Vill.-
Basuari, P.S.-Ghoghardiha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Pallavi, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mrs. Kumari Pallavi, learned counsel for the

petitioner and Mr. Bishweshwar Ram, learned Additional Public

Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in para. 1 of the bail petition.

3. Petitioner seeks bail who is in custody since
28.01.2026 in connection with Goghardiha P.S. Case No.
190/2025, F.I.R. dated 14.12.2025 for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act and
Sections 274, 275 read with Section 3(5) of the B.N.S.

4. Recovery is of 909 liters of Nepali country made
liquor.

5. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated 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 garden in question and the petitioner has been made accused merely on the basis of confessional statement of the apprehended person, namely, Shambu Ram and except the confession of the apprehended person, nothing has come during investigation to suggest the involvement of the petitioner in the alleged occurrence. He further submits that there is non-compliance of Section 100 of Cr.P.C/103 of BNSS. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 28.01.2026.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries four criminal antecedents but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in two cases and rest two cases are pending for consideration before the competent Court of law

7. 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 Exclusive Special Judge (Excise), Jhanjharpur, Madhubani in connection



with Goghardiha P.S. Case No. 190/2025, 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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