

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30127 of 2026

Arising Out of PS. Case No.-78 Year-2026 Thana- BELHAR District- Banka

Deepak Kumar S/O Vindeshwari Yadav R/O Village- Kathara, P.S.-
Jilebiyamor, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 30 (a) of the Bihar Prohibition and Excise Act, 2022.

3. The case of the prosecution, in brief, is that altogether 435 litres of illicit foreign liquor were recovered from the vehicle of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the petitioner is the owner of the vehicle and nothing has been recovered from his conscious possession. It is further submitted that the seizure witnesses are police personnel, the mandatory



provisions under Section 105 of the BNSS were not complied with at the time of seizure, the petitioner has no criminal antecedent, and he is in custody since 24.03.2026.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Belhar P.S. Case No. 78/2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Excise court – 1 at Banka.

(Ashok Kumar Pandey, J)

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