

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38894 of 2026

Arising Out of PS. Case No.-33 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Deepak Dubey @ Dipak Dubey @ Deepak Kumar S/O Ram Naresh Dubey @
Naresh Dubey R/O Vill-Nawada, Ward N.- 02,P.S -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr. Arvind Kumar Sinha, learned counsel
for the petitioner and Mr. Sanjay Kumar Pandey, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
06.04.2026 in connection with Complaint Case No. C2A No.33
of 2021 for the offences punishable under Section 30(a), 41(1)
(2) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 723.600 liters of foreign liquor.

4. 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 behind the house of the petitioner and the petitioner has been made accused merely on the basis of suspicion and petitioner has been remanded in the present case in Hajipur Sadar P.S. Case No. 236 of 2008 on 06.04.2026 and except the suspicion nothing has come during investigation, which suggest the involvement of the petitioner in the present case. The petitioner is in custody since 06.04.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that petitioner carries two criminal antecedents other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner has been acquitted in one case.

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 (Exclusive Special Excise and Prohibition Court-II-cum-District and Additional Sessions Judge, Hajipur, Vaishali) in connection with Complaint Case No. C2A No.33 of 2021 , 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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