

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44621 of 2026

Arising Out of PS. Case No.-36 Year-2025 Thana- ALAMGANJ District- Patna

Deepak Kumar, S/o Manauri Sharma @ Mnauri Sharma, Resident of Village -
Sanichara More, Mahendru, Dargah Road, Police Station - Alamganj, District
- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Md. Shahbaz Yusuf, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is not named in the FIR

and apprehending his arrest in connection with Alamganj

P.S. Case No.36 of 2025 registered under Section 30(a) of

the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to engage in

illegal trade/manufacturing of illicit liquor, where there is

recovery of 1.44 liters of IMFL/country-made liquor from

graveyard.

4. It is submitted by learned counsel appearing for

petitioner that the recovery of alleged illicit liquor was not

made from conscious physical possession of this petitioner



rather same was recovered near the graveyard, which is an open place and accessible to general public. It is submitted that the name of petitioner transpired in this case, being the owner of the seized mobile phone. It is submitted that as the mobile phone of petitioner has lost, which was recovered during raid. It is submitted that seizure list was not supported by the independent witnesses rather by the police personnel. The petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of anticipatory bail to the petitioner.

6. In view of aforesaid factual submissions and by taking of note of fact as recovery of illicit liquor *prima facie* not appears to be made from physical possession of this petitioner, accordingly, the petitioner, above-named, who is a man of clean antecedent, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to 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 the learned Exclusive Special Court of Excise, Patna City in



connection with Alamganj P.S. Case No.36 of 2025, subject
to the conditions as laid down under Section 438(2) of the
CrPC/under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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