

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49211 of 2026

Arising Out of PS. Case No.-260 Year-2026 Thana- Excise P.S. District- Rohtas

Deepak Kumar S/o Dadan Prasad R/o Mohalla- Mahajantoli, P.S- Sasaram Town, Dist- Rohtas, at present at Mohalla- Tarachandi, P.S- Darigaon, Dist- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate

For the Opposite Party/s : Mr. Suresh Prasad SinghAPP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Sasaram Excise P.S. Case No. 260 of 2026 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 135.430 liters liquor was recovered from the house of the petitioner and boundary wall adjacent to it.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is



submitted that the name of the petitioner has transpired on the basis of disclosure made by Co-accused. It is further submitted that the recovery is made from the joint house of the petitioner where other family members also reside as well as the recovery which is made from the boundary wall is an open place accessible to one and all. The petitioner is in custody since 27.05.2026 and has got five criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sasaram Excise P.S. Case No. 260 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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