

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51101 of 2026

Arising Out of PS. Case No.-652 Year-2025 Thana- MANER District- Patna

Deepak Keshri S/o Durga Prasad R/o Village - Begam Ki Haveli Neemtai, P.S
- Agamkuan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Adv.

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-07-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Maner P.S. Case No. 652 of 2025, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Suspecting that some persons are carrying illicit wine in a tempo, the police intercepted the same and in course of search, recovered 28.8 liters of Indian made foreign liquor. The petitioner is said to be the registered owner of seized tempo and, as such, his name has also been implicated in this case.

4. Learned Advocate for the petitioner submits that the tempo, in question, was being run by the driver for the purposes of carrying passengers on realization of fare, and he



has no knowledge that his tempo has ever been used for the purposes of carrying any illicit wine. The petitioner has no concern with the illegal activities of the driver and/or accountable for the conduct of the passenger, if he is carrying the illicit wine. During the course of investigation, no material has collected which suggest his complicity in the present crime. Besides, there is complete defiance of Sections 103 and 105 of the BNSS.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner is also carrying one criminal antecedent of identical nature and the use of his vehicle in the crime clearly suggests his complicity.

6. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the materials available on record, as well as the contention of the petitioner that the tempo, in question, was being run by the driver for the purposes of carrying passengers and there is no material suggesting his direct involvement, besides non-compliance of the statutory provisions of the BNSS and the lack of materials which attracts the rigors to maintain the anticipatory bail, let the petitioner above named be released



on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Danapur in connection with Maner P.S. Case No. 652 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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