IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76228 of 2026

CNR No. BRHC011104502026

Arising Out of PS. Case No.-256 Year-2025 Thana- KUNDWACHAINPUR District- East Champaran

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Deepak Kumar Son of Siyaram Das Resident of Village-Jamalpur, P.S.-Patahi, Disirict- East Champaran, Motihari.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the State : Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 04-11-2026 Heard Learned Counsel for the petitioner and Learned APP for the State.

2. The petitioner is apprehending arrest in connection with Kundwa Chainpur P.S. Case No. 256 of 2025 lodged on 17/09/2025, for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution, total recovery of 93.18 litres of nepali liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the

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petitioner is innocent and has committed no offence. Counsel further submits that name of the petitioner has been inserted in this case due to village politics and enmity. Counsel further submits that it is true that the petitioner is owner of the alleged e-ricksaw from which recovery has been made. Counsel further submits that the petitioner was unaware about the recovery as the recovery has been made from an open place which does not belong to the petitioner. Counsel further submits that nothing has been recovered from the conscious possession of the petitioner. Counsel further submits that criminal antecedent of the petitioner is clean. Counsel further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner, but fairly submits that criminal antecedent of the petitioner is clean.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the

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satisfaction of Exclusive Special Excise Court No.III, East Champaran, Motihari, in connection with Kundwa Chainpur P.S. Case No. 256 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS**,** 2023.

(Dr. Anshuman, J)

Anshuman/Mkr-

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