

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.47644 of 2024**

Arising Out of PS. Case No.-77 Year-2024 Thana- MOHAMMADPUR District- Gopalganj

1. Rohit Nutt, Son of Jelar Nut Resident of village - Pakri, Sidhwalia, P.S.- Moahammadpur, District - Gopalganj
2. Mohit Nutt, Son of Jelar Nut Resident of village - Pakri, Sidhwalia, P.S.- Moahammadpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Saurabh Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      22-07-2024                      1. Heard learned counsel for the petitioners  
and learned APP for the State.

2.The petitioners seek bail in anticipation  
of their arrest in a case registered for the offences  
punishable under Section 30(a) of the Excise Act.

3.The learned counsel for the petitioners  
submits that the petitioners have antecedent of  
one case and the allegation is of recovery of 100  
litres of liquor from a place behind the house of the  
petitioners.

4.The learned counsel for the petitioners  
submits that petitioners were not arrested from the



spot, as such, nothing was recovered from their conscious possession and even alleged recovery is from a place, which does not belong to the petitioners and is accessible to public at large and they came to be implicated at the instance of Chaukidar with whom they are on an inimical term.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-XIII-cum- Special Excise Court No.1, Gopalganj in connection with Moahammadpur P. S. Case No.77 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.



8.It is made clear that the learned trial Court before accepting the bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

