

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32442 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- DORIGANJ District- Saran

Rudal Nut S/O Dular Chand Nut R/O village- Musepur, P.S.- Doriganj,
District- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Adv.
For the State : Mr. Zainul Abedin, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable u/s 30(a) of the Bihar Prohibition & Excise Act.

3. The recovery of 15 litres of country made liquor has been shown from the house of the petitioner.

4. Learned counsel for the petitioner submits that the house in question is a joint family property and hence, no liability can be fixed upon the petitioner. No recovery was made from his physical or conscious possession. His name has transpired in the present case due to his criminal antecedent of similar nature, however, he is on bail in both the cases. He has no concern either with the seized liquor or any trade of liquor.



It is further submitted that the process of search and seizure also amounts to violation of the mandatory provisions as there is no independent witness to the said seizure. It is next submitted that the petitioner has been languishing in custody since 30.03.2025.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the above-mentioned facts and circumstances, the above named petitioner is directed to be enlarged 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 Court below where the case is pending/successor Court in connection with Doriganj P.S. Case No. 79 of 2025, subject to the condition that the learned Court below would verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the learned Court below shall take step for cancellation of bail bonds of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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