

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35643 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- MADHAURAH District- Saran

1. Kundan Nut Son of Dudhnath Nat R/o village - Bajit Bhoraha, P.S.- Madhaurah, Dist.- Saran at Chapra.
2. Gopal Nut Son of Dudhnath Nat R/o village - Bajit Bhoraha, P.S.- Madhaurah, Dist.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s: Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehends their arrest in connection with Madhaurah P.S. Case No.119 of 2025, registered for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the FIR, total 125 litres of illicit country made liquor was recovered from a sack, bag in possession of the co-accused persons and the sack was loaded on the motorcycle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have been falsely implicated in this case. The name of the peti-



tioners transpired on the confessional statement of co-accused persons. No incriminating material has been recovered from the conscious possession of the petitioners. The similarly situated co-accused person has been granted bail by this Court vide order dated 18.07.2025 passed in Cr. Misc. No.33012 of 2025. The petitioner no.1 has four criminal antecedents and the petitioner no.2 has three criminal antecedents.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, let the above named petitioners, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge, Saran at Chapra, in connection with Madhaurah P.S. Case No.119 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023 and with a further condition that the petitioners shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be



cancelled by the learned court concerned.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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