

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53232 of 2025

Arising Out of PS. Case No.-430 Year-2024 Thana- ADAPUR District- East Champaran

Bihari Nut, aged about 30 years (M), S/o Kadam Nut, R/o Village- Shyampur,
P.S.- Adapur, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate and Mr. Hemant Ray, Advocate
For the Opposite Party	:	Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Adapur P.S. Case No. 430 of 2024 dated 16.12.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 216 litres of illicit Nepali Kasturi liquor was recovered from four sacks allegedly thrown by the petitioner and three co-accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner was not arrested on the spot and his name has surfaced in the present case only on



the basis of the confessional statement of the co-accused persons, namely, Karan Nut and Bhushan Nut which has got no evidentiary value in the eyes of law. No incriminating article has been recovered from the possession of the petitioner. The petitioner has no concern either with the seized illicit liquor or with the apprehended co-accused persons. There is no statutory compliance of Section 103 of the B.N.S.S., 2023. It is submitted that the other co-accused persons, namely, Karan Nut and Bhushan Nut have already been granted bail by a Bench of this Court in Cr. Misc. No. 15357 of 2025 vide order dated 02.04.2025. The petitioner has four criminal antecedents in which he is on bail as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 28.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-2, Motihari, East Champaran in



connection with Adapur P.S. Case No. 430 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

