

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54613 of 2025

Arising Out of PS. Case No.-324 Year-2022 Thana- KHAIRA District- Saran

Buchali Nut @ Bijali Nut, S/o Chhabila Nut, R/o village - Nagra Nut Toli, P.
S - Khaira, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Khaira P.S. Case No. 324 of 2022 for the offence registered under Sections 30 (a) of the Bihar Prohibition & Excise Act.

3. As per FIR, total 20 litres of country made illicit liquor was recovered near the house of the petitioner. It is alleged that the petitioner fled away after seeing the police party.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 20 litres of country made liquor is said to have recovered from the place of occurrence. He submits that the petitioner was not apprehended on the spot.



He further submits that petitioner has one criminal antecedent in which he is on bail as stated in para-3 of the bail application. Similarly situated co-accused has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 07.03.2025 passed in Cr. Misc. No. 13284 of 2025. Petitioner undertakes to cooperate in the investigation and trial of the case.

5. Petitioner has already been deposited a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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
Khaira (N) P.S. Case No.324 of 2022, subject to the condition as
laid down under Section 482 (2) of the B.N.S.S.

(Sunil Dutta Mishra, J)

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