

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61407 of 2025

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

Bali Nut @ Bali Nat S/O Daharu Nut @ Daharu Nat R/O Village - Bajit
Bhoraha, P.S. - Marhowrah, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Marhowrah P.S. Case No. 119 of 2025 dated 08.03.2025 registered for the offence punishable under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per allegation, 125 litres of illicit liquor has been recovered from a Motorcycle and co-accused Nitesh Kumar was arrested on spot and on his confessional statement, the name of petitioner transpired as an accomplice.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has been implicated



in this case only on account of confessional statement of co-accused which has no evidentiary value. He further submits that there is no cogent material to connect the petitioner to the alleged offence. The Motorcycle from which the illicit liquor was recovered does not belong to the petitioner. He also submits that no *prima facie* case is made out against the petitioner and hence, the present petition is maintainable and the petitioner deserves to be enlarged on anticipatory bail.

5. It is also stated in paragraph No. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph No.3 of the bail petition that the petitioner has been made accused in eight other cases.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand)



each with two sureties of the like amount each to the satisfaction of learned concerned court below, in connection with Marhowrah P.S. Case No. 119 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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