

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71105 of 2025**

Arising Out of PS. Case No.-225 Year-2025 Thana- AWTARNAGAR District- Saran

Umesh Nut @ Umesh Nat, S/O Late Gani Nut @ Late Ganni Nut, Resident of
Village- Mirzapur, P/S- Awatar Nagar, District- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Awatar Nagar P.S. Case No. 225 of 2025 for the offence
registered under Section 30 (a) of the Bihar Prohibition &
Excise Act.

3. As per the prosecution case, 50 litres of country
made liquor recovered from near the bamboo orchard. It is
alleged that the petitioner was apprehended on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case on suspicion only. He has no concern with the seized liquor
or place of recovery. Recovery was made from the bamboo
orchard which is an open place accessible to all. Nothing



incriminating has been recovered from the conscious possession of the petitioner. He further submits that there is no independent witness of the seizure list. Petitioner is in jail custody since 20.08.2025, having two criminal antecedents out of which one case is of similar nature and he is on bail in both the cases. Petitioner undertakes to cooperate in the investigation and trial of the case.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, nature of allegation and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra, in connection with Awtar Nagar P.S. Case No. 225 of 2025, with further conditions that:-

(i) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself.

(ii) The petitioner shall desist from committing any



such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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