

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80111 of 2025

Arising Out of PS. Case No.-746 Year-2023 Thana- MADHAURAH District- Saran

Kundan Nut S/O Dudhnath Nut @ Daharu Nut R/O Vill.- Vajitbhoraha/Bajit
Bhoraha, P.S.- Marhowrah (Madhaurah), Dist.- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajit Kumar Singh
For the Opposite Party : Mr. Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-12-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Marhowrah P.S. Case No. 746 of 2023 dated 03.12.2023 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 325, 332, 333, 307 and 353 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 75 litres of illicit country made liquor was recovered from the bush near the canal (Piyarpurwa).

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The petitioner has no concern with the alleged recovery rather the recovery has been made from an open place which is accessible to anyone. The petitioner has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 23.09.2025.

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 Court concerned, Saran at Chapra in connection with Marhowrah P.S. Case No. 746 of 2023, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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