

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85394 of 2025

Arising Out of PS. Case No.-331 Year-2024 Thana- MADHAURAH District- Saran

Kundan Nut Son of Dudhnath Nat @ Daharu Nut Resident of village- Vajit
Bhoraha (Bajid Bhoraha), Ps- Marhowrah (Madhaurah), Dist- Saran at
Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr.Lakshmi Kant Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Marhowrah (Madhaurah/Marhoura) P.S. Case No. 331 of 2024,
instituted for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 200
liters of country made liquor was recovered from several plastic
bags and boxes.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. The



name of the petitioner has been disclosed by the local Chowkidar. Learned counsel for the petitioner further submitted that the recovery has been made from open place, which is accessible to public at large. The petitioner is in custody since 01.11.2025 and has got six criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed,*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Marhowrah (Madhaurah/Marhoura) P.S. Case No. 331 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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