

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86536 of 2025

Arising Out of PS. Case No.-253 Year-2025 Thana- JALALPUR District- Saran

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1. Rakesh Nut @ Rakesh Nat @ Rakesh Kumar Nat S/o- Chandeshwar Nut
Village - Phajil Chapra, P.S- Jalalpur, District - Saran
 2. Raja Nut S/o- Late Laxman Nut Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Jalalpur P.S. Case No.253 of 2025, dated 30.10.2025 registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, 25 liters of country made liquor has been recovered hidden in the bushes behind the house of the petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the instant case solely on the basis of suspicion. The



petitioners have no concern with the seized liquor or the alleged bush. It is further submitted that the petitioners are not interrelated and are living in separate accommodations. Lastly, it is submitted that the petitioners have two criminal antecedents akin to the instant case, in both of which they are on bail.

5. Learned counsel for the petitioners, on instructions, and without accepting their guilt, proposes to deposit a sum of Rs. 5,000/- (Rupees Five Thousand only) each in the welfare account of the Advocates' Association of the Patna High Court.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner or from their house, accordingly, this Court is inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Judge,



Saran at Chapra, in connection with Jalalpur P.S. Case No.253 of 2025 subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and on production of the receipt showing deposit of Rs.5000/- as proposed on behalf of the petitioners.

(Ajit Kumar, J)

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