

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.497 of 2026

Arising Out of PS. Case No.-339 Year-2025 Thana- DORIGANJ District- Saran

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1. Sonu Kumar @ Sonu Nut S/o Vyas Nut @ Nanak Nat @ Nanhak Nat
Resident of vill- Mussepur, P.S- Doriganj, Distt.- Saran
 2. Govind Nut @ Govinda Nut S/o Mogal Nat Resident of vill- Mussepur, P.S-
Doriganj, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shweta Anand, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 15-01-2026 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that
petitioner no. 1 is a person with clean antecedent and petitioner
no. 2 has antecedent of two cases out of which one case is under
the Excise Act and allegation is of recovery of 210 litres of
liquor from a place near the house of the petitioners along with
150 litres of semi prepared liquor which was destroyed.

4. Learned counsel for the petitioners submits that
petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the petitioners but then is adjacent to their house. It is next submitted that petitioners came to be implicated at the instance of the local persons but then the name of the person who disclosed the name of the petitioners is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Doriganj P.S. Case No. 339 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C./482(2) of the BNSS.

7. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioners and



if it is found that petitioner no. 1 has antecedent even one case and petitioner no. 2 has antecedent of more than two cases, it would be presumed that petitioners had concealed their antecedent before this Court at para 3 of the anticipatory bail application in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner no. 1 is a person with clean antecedent and petitioner no. 2 has antecedent of only two cases in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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