

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6862 of 2026

Arising Out of PS. Case No.-247 Year-2025 Thana- MADHAURAH District- Saran

Bala Nut @ Bala Kumar Nat @ Bala Nat S/o Dinesh Nut R/o Village-
Mirzapur Vajitbhoraha (Bazid Bhoraha), P.S- Madhaurah. Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

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

ORAL ORDER

4 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Marhowrah (Madhaurah) P.S. Case No. 247 of 2025, instituted for the offences punishable under Sections 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. Earlier, anticipatory bail of the petitioner has been dismissed as withdrawn by a co-ordinate Bench of this Court vide order dated 30.01.2026 passed in Cr. Misc. No. 83314 of 2025.

4. The prosecution case, in short, is that 120 liters liquor was recovered from Vajitboraha Chaur.

5. 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. Learned counsel for the petitioner also submitted that the alleged recovery has been made from an open place and the same is easily accessible to the public at large. It is next submitted that name of the petitioner has transpired in this case on the basis of disclosure made by local chaukidar. The petitioner is in custody since 23.12.2025 and has got seven criminal antecedents. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 18.11.2025 passed in Cr. Misc. No. 78022 of 2025. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

7. 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.

8. 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) P.S. Case No. 247 of 2025, 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 and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

