

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4332 of 2026

Arising Out of PS. Case No.-829 Year-2020 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. N.N. Tiwari, Advocate

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

ORAL ORDER

2 27-01-2026 Heard learned counsel for the petitioner and Mr.
N.N. Tiwari, learned APP for the State.

2. The petitioner seeks bail in Marhowrah (Madhaurah) P.S. case No. 829 of 2020 instituted for the offences under Sections 147, 341, 337, 353, 504 of Indian Penal Code and Sections 30, 30(a) and 45 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that during search conducted by the police, the accused persons attacked on the police party and later 10 liters liquor was recovered.

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. It is further submitted that recovery has been made from an open place accessible to public at large. No specific allegation is attributed against the petitioner. The name of the petitioner has transpired on the basis of disclosure made by local chowkidar. The petitioner is in custody since 22.12.2025 and has got seven criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. The petitioner has seven criminal antecedents and he may not be released on bail.

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/- (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. 829 of 2020, 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) The petitioner shall not leave the territorial jurisdiction of the Court below without its prior permission.

(Rudra Prakash Mishra, J)

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