

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18048 of 2026

Arising Out of PS. Case No.-1 Year-2026 Thana- JANTA BAZAR District- Saran

Kanhaiya Nut S/o Sudhu Nut @ Sudhan Nut R/o village - Senduar, P.S - Janta Bazar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 03-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 130 liters of country made liquor and some utensils for manufacturing liquor were recovered from the garden which is situated adjacent to the house of the petitioner.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. It is submitted that the place of recovery is an open place and easily accessible to anyone. It is further submitted that the mandatory provisions of search and



seizure have been violated as there is no independent witness to the seizure list.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has three criminal antecedents out of which two are of similar nature, to which, learned counsel for the petitioner submits that the petitioner is on bail in all the cases.

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Janta Bazar P.S. Case No. 01 of 2026, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further conditions:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

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