

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24487 of 2026

Arising Out of PS. Case No.-360 Year-2025 Thana- DORIGANJ District- Saran

Rahul Nut @ Rahul Nat Son of Mogal Nut R/o Village - Musepur, Nut Toli,
P.S. - Doriganj ,Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Ambuj, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-04-2026 Heard Mr. Akash Ambuj, learned counsel for the
petitioner and Mr. Umesh Lal Verma, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
01.01.2026, in connection with Doriganj P.S. Case No. 360 of
2025, F.I.R. dated 19.10.2025 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. Recovery is of 100 litres of *country made* liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that it appears from the F.I.R.
that nothing has been recovered from the conscious possession of
the petitioner rather recovery has been made from place of
occurrence and the name of the petitioner has been transpired on



the basis of secret information. As per allegation in the F.I.R. , the petitioner and other co-accused person have fled away fromd the place of occurrence and the local villagers and spy have informed that the petitioner was involved in the present occurrence. It appears from the seizure list that 100 litres illicit country made semi fermented liquor and 100 litres of illicit liquor were recovered from the place of occurrence. From perusal of the seizure list it transpires that seizure list witnesses are police personnel so there is non-compliance of Sections 103 and 105 of BNSS, 2023. He further submits that police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 01.01.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case of similar nature other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that nothing has been recovered from the conscious possession of the petitioner and there is non-compliance of Sections 103 and 105 of the BNSS, 2023, let the petitioner, above named, be released 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 learned Additional Sessions Judge-cum-Exclusive Special Excise Court No. 03, Saran at Chapra in connection with Doriganj P.S. Case No. 360 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

