

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22332 of 2026

Arising Out of PS. Case No.-798 Year-2025 Thana- MADHAURAH District- Saran

Sonu Nut Son of Daharu Nut Resident of Village - Vajit Bhoraha, P.S. -
Marhowrah, Dist. - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-04-2026 Heard Mr. Gajendra Kumar Singh, learned counsel
for the petitioner and Mr. Sanjay Kumar Tiwary, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
23.02.2026 in connection with Marhowrah P.S. Case No. 798 of
2025, F.I.R. dated 03.12.2025 for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. Recovery is of 40 liters of country made liquor.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that nothing has been recovered from the
conscious possession of the petitioner rather the recovery has
been made from Talpuraina Chawar. He further submits that the



petitioner has no concern at all with the alleged recovery of the illicit liquor and he has been made accused in the present case merely on the basis of secret information. He further submits that the allegation as alleged in the FIR is false and fabricated and his name has been transpired in the present case on the basis of the disclosure made by the local *chowkidar* and except the aforesaid, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 23.02.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries seven criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Marhowrah P.S. Case No. 798 of 2025, subject to the following conditions:-

i. 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.

ii. 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.

iii. 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 antecedent, 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.

(Rajesh Kumar Verma, J)

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