

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25334 of 2026

Arising Out of PS. Case No.-584 Year-2025 Thana- BANIAPUR District- Saran

-
1. Baban Nut S/o Darshan Nut R/o Village - Karah, (Nut Toli), P.S - Baniyapur, District - Saran
 2. Jodhan Nut S/o Jagan Nut R/o Village - Karah, (Nut Toli), P.S - Baniyapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 22-04-2026 Heard Mr. Hemant Kumar, learned counsel appearing on behalf of the petitioners and Mr. Akshay Lal Pandit, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Baniyapur P.S. Case No. 584/2025 registered for the offence(s) punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the allegation made in the FIR, 116 litres of illicit liquor was recovered from *Karah Nat Toli*.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioners are innocent and have falsely been implicated in the present case. Learned counsel further submitted that recovery of illicit liquor has been made



from the *Karah Nat Toli*, which is an open space and is easily accessible by anyone. Petitioners have no concern either with the place of recovery or with the alleged recovered liquor. Petitioners have clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the fact that recovery of illicit liquor has been made from the *Karah Nat Toli*, which is an open space and is easily accessible by anyone and also the fact that the State has failed to implement its liquor policy in its true spirit, I am of the opinion that petitioners, who are having clean antecedents, have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Concerned Court where the case is pending in connection with Baniyapur P.S. Case No. 584/2025, subject to the conditions as laid down under



Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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

