

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33899 of 2026

Arising Out of PS. Case No.-81 Year-2026 Thana- Excise P.S. District- Saran

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1. Manoj Nut S/O Late Dharmnath Nut Resident of Village-Mangolapur, P.S-Jalalpur Dist.-Saran
 2. Sanoj Nut @ Sanoj Nat S/O Late Dharmnath Nut Resident of Village-Mangolapur, P.S-Jalalpur Dist.-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2026 Heard Mr. Sanjeet Kumar Singh, learned counsel for the petitioners and Mr. Mritunjay Kumar Nirala, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 04.04.2026 in connection with Sadar Excise P.S. Case No. 81 of 2026, F.I.R. dated 04.04.2026 for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Recovery is of 25 litres of illicit liquor.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. It appears from the FIR as well as seizure list



that nothing has been recovered from the conscious possession of the petitioners rather the recovery has been made from the temporary thatched hut. It appears from the seizure list that the seizure list witnesses are the police personnel, so there is non-compliance of Section 103/105 of the BNSS, 2023. The petitioners are in custody since 04.04.2026.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner no. 1 carries four criminal antecedents and petitioner no. 2 carries two criminal antecedents other than the present one but fairly submits that they are on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 3rd Exclusive Special Excise Court, Saran at Chapra in connection with Sadar Excise P.S. Case No. 81 of 2026, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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