

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81894 of 2025

Arising Out of PS. Case No.-746 Year-2023 Thana- MADHAURAH District- Saran

Mantu Nut S/o Daharu Nut Resident of Village- Vajit Bhorha, P.S.-
Marhowrah, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kanchan Kumari, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 18-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 332, 333, 307 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the allegation is of recovery of 75 litres of liquor from the place near a canal.

4. Learned counsel for the petitioner submits that the petitioner was granted the privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 30.08.2024 passed in Cr. Misc. No.44274 of 2024, however, with the condition that his criminal antecedents would be verified and in case more than two criminal antecedents would be found, the bail order would not be given effect to. It has been further



submitted that on some wrong instruction and communication gap it was stated that the petitioner is accused in only two cases, whereas at the time when the anticipatory bail was granted to the petitioner, he was an accused in four cases of Excise Act. However, he has submitted that subsequently he was made an accused in other cases in the year 2024 and 2025 and in most of the cases with an allegation that the person, who was found fleeing away was identified to be this petitioner. It is on the ground of other criminal antecedents that the petitioner could never fill the bail bonds and he went into custody. Now, he has remained in custody since 02.09.2025 and charge-sheet has been submitted.

5. Learned APP for the State opposed the grant of bail on the ground that the petitioner has several criminal antecedents of similar nature.

6. Taking into consideration the facts and circumstances and considering that the petitioner has now remained in custody since 02.09.2025 and charge-sheet has been submitted, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Exicsae Judge-2,



Saran at Chapra/concerned Court below in connection with Marhowrah P.S. Case No. 746 of 2023 subject to condition that:-

(i) The petitioner shall remain physically present in court on each and every date during the proceedings of this case, failing which his bail bonds shall be liable to be cancelled by the learned court concerned.

7. However, taking into consideration the conduct of the petitioner of concealing his criminal antecedent and thus, wasting the time and energy of the judicial process, it would be in the interest of justice, if the petitioner is imposed a cost of Rs.25,000/- (Rupees Twenty Thousand) to be deposited in the account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

8. The bail bond of the petitioner shall be accepted by the learned Trial Court on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Soni Shrivastava, J)

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