

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88817 of 2025

Arising Out of PS. Case No.-331 Year-2024 Thana- MADHAURAH District- Saran

Bali Nut S/O Daharu Nut @ Dinesh Nut R/O Village- Bajit Bhoraha, P.S.-
Marhowrah, 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. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-01-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner had earlier moved before this Court seeking anticipatory
bail by filing Cr. Misc. No. 76020 of 2024. The petitioner was
granted the privilege of provisional anticipatory bail by an order
dated 06.12.2024 with a condition that after granting the
provisional anticipatory bail, the learned trial court shall verify the
criminal antecedent of the petitioner and if it is found that
petitioner has more than two antecedents in that event the
provisional anticipatory bail bonds shall be cancelled but if it is
found that petitioner has antecedent of two cases only in that event



the provisional anticipatory bail bonds shall be confirmed. It is further submitted that petitioner in Misc. No. 76020 of 2024 at para 3 had pleaded that he has antecedent of two cases but on verification it was found that petitioner has antecedent of eight cases, as such, his provisional anticipatory bail bonds was cancelled and petitioner was taken into custody on 19.11.2025.

4. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that petitioner had not approached this Court with clean hands when he had filed Misc. No. 76020 of 2024 seeking anticipatory bail. It is further submitted that if privilege of regular bail is granted to the petitioner, the petitioner may abscond.

5. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail. Hence, the prayer for bail is rejected in connection with Marhowrah P.S. Case No. 331 of 2024 pending in the Court of learned 2nd Exclusive Special Excise Judge, Saran at Chapra/Successor Court.

6. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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