

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34184 of 2019**

Arising Out of PS. Case No.-49 Year-2019 Thana- BACHHHWARA District- Begusarai

Kamlesh Kumar Mehta @ Kamlesh Kumar Mahto, aged about 42 years, male, Son of Rajendra Prasad Mehta Resident of Village- Narepur West , P.S.- Bachchhwara, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sabal Kumar Jha

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      27-05-2019                      Heard learned counsel for the petitioner as well as learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

There is allegation of recovery of 26 liters of foreign liquor from the tiles house of the petitioner.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent. Provisions of section 100 of the Cr.P.C. have not been followed in the alleged search and recovery. Recovery has been made from the tiles house, which does not belong to the petitioner.

Considering the facts of the case, let the petitioner,



above named, in the event of his arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 Addl. Sessions Judge, 2<sup>nd</sup> cum- Special Judge, Excise, Begusarai in Bachchwara Police Station Case No. 49 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

**(Prabhat Kumar Singh, J)**

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