

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5352 of 2022

Arising Out of PS. Case No.-67 Year-2021 Thana- ARER District- Madhubani

PREM KUMAR MEHTA SON OF SATYA NARAYAN MEHTA,
RESIDENT OF JARAIL, P.S. ARER AND DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan

For the Opposite Party/s : Mr.J.N. Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-05-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Arer P.S. Case No. 67 of 2021 registered for offence punishable under sections 272, 273, 467, 468, 471, 120(B) of the Indian Penal Code and section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, 4408 litres of foreign liquor and 1200 litres of beer were recovered from a truck.

The learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and he is a person of



clean antecedent and is under custody since 23.12.2021. He has submitted further that the petitioner has been made accused on the basis of suspicion and his name figured in the confessional statement of co-accused. He has also submitted that the driver, owner and other FIR named accused persons have been granted bail by the coordinate Benches.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise Act), Madhubani in connection with Arer P.S. Case No.67 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.



Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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