

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9103 of 2022

Arising Out of PS. Case No.-154 Year-2021 Thana- PURAINI District- Madhepura

Vikash Mehata @ Vikash Mehta @ Vikash Kumar Son of Dinesh Mehta R/O-
Ganeshpur, Ward No.12, P.S.- Puraini, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Puraini
P.S. Case No. 154 of 2021 corresponding to Excise Act Case
No. 708 of 2021 registered for the offence under Sections 272,
273 and 34 of the Indian Penal Code and Sections 30(a) of the
Bihar Prohibition and Excise Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 27.12.2021.

The allegation against the accused/petitioner is having
in illegal possession of foreign liquor of 424.365 liters.

Learned counsel appearing on behalf of the petitioner



submitted that recovery, as per F.I.R., is made from the house of co-accused, namely, Babloo Mehta and the petitioner has been implicated in the present case merely on the ground on suspicion as to guard the main accused, Babloo Mehta. It is further submitted that petitioner is a man of clean antecedent and chargesheet in this case has already been submitted, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State fairly conceded the recovery has not been made from the house of accused/petitioner.

Considering the facts and circumstances as mentioned above and, as recovery has not been made from the house of the petitioner, coupled with the fact that petitioner is a man of clean antecedent, let the petitioner, above named, is directed to be released on bail in connection with Puraini P.S. Case No. 154 of 2021 corresponding to Excise Act Case No. 708 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge (Excise Act), Madhepura, subject to the following conditions:

“(i) Accused/Petitioner shall
cooperate in the trial and shall be properly



represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(ii) That one of the bailors shall be the close relative of the accused/petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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