

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28510 of 2022

Arising Out of PS. Case No.-341 Year-2021 Thana- SITAMARHI District- Sitamarhi

NAVIN CHANDRA MERHTA @ NAVIN KUMAR MEHTA Son of Indra
Bhushan Mehta Resident of village - Pratap Nagar Ward no.26, P.s.-
Sitamarhi, Distt.- Sitamarhi, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sitamarhi P.S. Case no. 341 of 2021 instituted for the
offence under Sections 30(a) of the Bihar Prohibition and Excise
Act.

Prosecution case relates to recovery of 17.7 litres of
Nepali liquor from the house of the petitioner's father.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. The alleged house belongs to the father of the petitioner
and he has provided a room of the house to one co-accused



Momina Khatoon on rent with agreement and rent agreement is annexed with the petition as Annexure-2. He has got no criminal antecedent. Petitioner has no concern with the alleged recovery. Neither the petitioner was arrested nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sitamarhi P.S. Case no. 341 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Sitamarhi, Bihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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