

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58505 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- PASRAHA District- Khagaria

=====

Akhilesh Mehta Son of Barelal Mehta Resident of Village - Pama, Ward No. -09, P.S. - Sour Bazar, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Advocate.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the petitioner, above named, for grant of regular bail to the petitioner who has been made accused and put behind the bar in connection with Pasraha P. S. Case No. 90 of 2021 registered for the offence punishable under Section 30(a) Bihar Prohibition & Excise (Amendment) Act, 2018.

As per the prosecution case, it is alleged that from a Magic vehicle, which was being driven by this petitioner altogether 249.75 litres of foreign liquor has been recovered by the Police.

It has been submitted on behalf of the petitioner that this petitioner is a driver of the said vehicle and he was not



even aware of the fact that as to what has been loaded in his vehicle by the consigner. It is next submitted that this petitioner has got no criminal antecedent and is in custody since 13.07.2021 and it is further submitted that there is no independent witness to the seizure list and all are the Police Personnel.

On the other hand, learned APP for the State opposes the bail application of this petitioner.

Having considered the submissions made on behalf of the parties and taking into account this fact that the petitioner is a driver of said vehicle and he has got no criminal antecedent and is in custody since 13.07.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Khagaria in connection with Pasraha P. S. Case No. 90 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of



trial till disposal of the case.

- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

Shakir/-

U		T	
---	--	---	--

