

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51604 of 2022

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

Bablu Mehta @ Rajiv Kumar Mehta S/o Late Ramchandra Mehta R/o village-
Ganeshpur, Puraini, Ward No. 03, P.S.- Puraini, District- Madheprua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Advocate

For the Opposite Party/s : Mrs.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Puraini P.S. Case No. 154 of 2021 registered
for the alleged offences under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2016.

As per prosecution case, police received secret
information about the petitioner hiding India made foreign
liquor in huge quantity in his house and he had been dealing
with the trade of illicit liquor along with other co-accused
persons. A raid was conducted and the petitioner was
apprehended while he tried to flee away from the spot. Total 424



litres of India made foreign liquor of different brands were recovered.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has given his godown on rent to co-accused Rakesh Mehta on 13.04.2021 whereas the raid was conducted on 27.09.2021. The petitioner was having no knowledge about the liquor kept in his house. Learned counsel further submits that nothing incriminating has been recovered from his conscious possession of this petitioner. The co-accused Rakesh Mehta has been granted anticipatory bail vide order dated 24.05.2022 passed in Cr. Misc. No. 65783 of 2021 and other co-accused Vikash Mehta has also been granted bail vide order dated 07.06.2022 passed in Cr. Misc. No. 9103 of 2022 by different Co-ordinate Benches. The petitioner is in custody since 26.07.2022 and charge-sheet has been submitted. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of bail to other co-accused persons and further considering the clean antecedent of the petitioner along with his period of



custody and submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, Excise-II, Madhepura in connection with Puraini P.S. Case No. 154 of 2021, subject to the other conditions under Section 437(3) of the Cr.P.C. and following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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