

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65783 of 2021

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

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1. RAKESH MEHTA S/o Late Shivnandan Mehta Resident of Village- Puraini, Ward No.03, P.S.- Puraini, District- Madhepura.
 2. Vikash Mehta S/o Dinesh Mehta Resident of Village-Ganeshpur, P.S.- Puraini, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-05-2022 Learned counsel for the petitioner submits that during pendency of this petition, petitioner no. 2 namely Vikash Mehta has already been arrested and as such, this petition has become infructuous, so far as petitioner no. 2 is concerned.

In view of aforesaid fact, the anticipatory bail petition stands dismissed as withdrawn so far as petitioner no. 2 is concerned.

Heard learned counsel for the parties.

The petitioner no. 1 apprehends his arrest in a case registered for the offence under Section 30 (a) of Bihar Prohibition & Excise Act.

As per the prosecution case, on secret information the co-accused Babloo Mehta was engaged in trade of illicit foreign liquor. A raid was conducted, co-accused Babloo Mehta fled away from



the back side of the house. Total 424.365 litres of different brands of foreign liquor were recovered from the house of the co-accused Babloo Mehta.

It is submitted on behalf of the learned counsel for the petitioner no. 1 that he has been falsely implicated in this case. He has committed no offence. There is no recovery of any incriminating substances from the conscious possession of petitioner no.1. He is a person of clean antecedent.

Learned A.P.P. for the State has opposed the anticipatory bail petition of petitioner no. 1.

Considering the aforesaid facts and circumstances, let the above named petitioner no. 1, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Learned 2nd Addl. Session Judge, Madhepura, in connection with Puraini P.S. Case No. 154 of 2021, arising Excise Case No. 708 of 2021, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Ranjeet/-

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