

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65620 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- BHIMPUR District- Supaul

=====

Rajiv Kumar Mehta Son of Mahendra Mehta Resident of Village - Belhi,
Ward No.- 01, P.S.- Pratapganj, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP-84

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-12-2022 At the outset, learned counsel for the petitioner submitted that in the prayer portion, at page no.3, of the bail petition, inadvertently, year of police station case number has been wrongly typed as '2020' instead of '2022'.

Accordingly, learned counsel for the petitioner is permitted to make necessary correction during the course of the day itself.

Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State through virtual Court proceedings.



Let the defect(s), if any, be removed within a period of four weeks from today.

The petitioner seeks bail in connection with Bhimpur P.S. Case No. 85 of 2022 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in custody since 06.08.2022.

The allegation against the petitioner is to have in possession of 225 liters of Nepali liquor.

Learned counsel appearing on behalf of the petitioner submitted that recovery of illicit liquor was made from car, which was jointly occupied by other co-accused persons, where nothing surfaced during the course of investigation, which may suggest that petitioner was under knowledge to have consignment of illicit liquor and, as such, it can be said that recovery of illicit liquor was not made from the conscious physical possession of the petitioner, who is a man of clean antecedent. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes



the prayer of bail.

In view of the facts and circumstances, as mentioned above, as petitioner is in custody since 06.08.2022 coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bhimpur P.S. Case No. 85 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Court No.1, Supaul/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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

