

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.14207 of 2023**

Arising Out of PS. Case No.-305 Year-2021 Thana- GURUA District- Gaya

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PINTU KUMAR @ PINTU MEHTA S/O RAMANUJ MEHTA Resident of  
Village- Jaipur, P.S.- Gurua, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

3      27-06-2023                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since  
19.12.2022 in connection with Gurua P.S. Case No. 305 of  
2021, F.I.R. dated 13.12.2021 registered for the offence  
punishable under Sections 30(a)(d)of Bihar Prohibition and  
Excise Act, 2016.

Recovery is of 100 liters of country made liquor.

Learned counsel appearing for the petitioner  
submits that the petitioner has falsely been implicated in the  
present case on the basis of the disclosure made by the co-  
accused persons. Further submits that from bare perusal of the  
FIR it appears that nothing has been recovered from



conscious possession or the house of the petitioner and the petitioner has no concern at all with the alleged recovery of illicit liquor or the co-accused persons and the petitioner was not apprehended at the spot and the police has submitted the chargesheet against the petitioner and the petitioner is in custody since 19.12.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

Considering the aforesaid facts, nothing has been recovered from conscious possession or the house of the petitioner, let the petitioner, above named, be released 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 Exclusive Special Excise Court No.2, Gaya in connection with Gurua P.S. Case No. 305 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled



by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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