

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68708 of 2022

Arising Out of PS. Case No.-213 Year-2022 Thana- BARUN District- Aurangabad

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PRADEEP MEHTA, S/O LATE RAMBADAN MEHTA, Resident of village-
Jogiya, P.S.- Barun, District- Aurangabad, (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deep Anshuman, Advocate
Mr.Rahul Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Barun P.S.
Case No. 213 of 2022 registered for the offence punishable under
Sections 30(a) and 30(c) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

On information regarding manufacture of illicit liquor
from a shedded house, the police party has reached the place from
where there is alleged recovery of 400 litres *Mahua* liquor. One
person has fled away. The persons present at the time of recovery
have stated petitioner's name as being the person who fled away at
the time of recovery.

Learned counsel for the petitioner submits that other than
statement of the local persons, there is no material to connect the
petitioner with the recovery. In fact, petitioner has no concern with
the recovered substance. He was not present at the place of recovery



and there is no recovery from his possession. He has been arrested on 02.10.2022 and since then he is in jail though he is having no antecedents. Moreover, investigation is also complete. Recovery is denied and disputed and is stated to be not in accordance with law.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, manner of petitioner's implication, period of custody and the fact that investigation is complete, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

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 Special Judge Excise-1, Aurangabad, in connection with Barun P. S. Case No. 213 of 2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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