

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72496 of 2022

Arising Out of PS. Case No.-411 Year-2022 Thana- NARPATGANJ District- Araria

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SURAJ MEHTA @ SURAJ KUMAR Son of Umesh Mehta R/v- Chakorwa
Sonapur, P.S.- Bathnaha (O.P.), District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 30(a) of the Bihar
Prohibition and Excise Act.

Prosecution case relates to recovery of 75 litres of
Nepali liquor from a Hero Honda C.D. Delux motorcycle and
one person managed to escape. Local people disclosed that
alleged liquor belongs to the petitioner, who managed to escape.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has no concern with the alleged recovery or with
the vehicle in question. The name of the petitioner has been
disclosed in this case by the local villagers before the police,



which has got no evidentiary value in the eye of law. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Petitioner has surrendered and languishing in judicial custody since 5.11.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Araria in connection with Narpatganj (Bathnaha) P.S. Case No. 411 of 2022.

(Sunil Kumar Panwar, J)

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