

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7386 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- BHAPTIAHI District- Supaul

SANJAY MEHTA Son of Sobha Mehta @ Subhash Mehta Resident of
Village-Garhiya, P.S.-Bhaptiyahi, Dist.-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sessions Trial No. 886 of 2023, arising out of Bhaptiyahi P.S.
Case No. 116 of 2023 instituted for the offences under Sections
30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 231 litres
nepali liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case on the
basis of the confessional statement of the co-accused Shiv
Kumar Sharma. Nothing has been recovered from the conscious



possession of the petitioner. Petitioner has no concern with the alleged recovery. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.12.2023 and has six criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhaptiyahi P.S. Case No. 116 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar



nature of offence in future, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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