

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12370 of 2024

Arising Out of PS. Case No.-497 Year-2023 Thana- OBRA District- Aurangabad

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Jitendra Mehta @ Jitendra Kumar Son Of Laxman Mehta @ Laxman Mahto
R/O-Kadiyahi, P.S.-OBRA, Distt.-AURANGABAD, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 16-04-2024 Heard Mr. Dhaneshwar Prasad Gupta, learned
counsel appearing on behalf of the petitioner and Mr. Syed
Ehteshamuddin, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Obra P.S. Case No. 497 of 2023 registered under Section
30(a) of the Bihar Prohibition & Excise Act, 2018.

3. Allegation is of recovery of 13 litres of wine from a
shop.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. Nothing has been recovered
from the conscious possession of the petitioner. Petitioner has
no concern with the alleged seized wine. Petitioner is not
involved either in manufacturing or in trade of illicit liquor,
which is prohibited in the State of Bihar. Petitioner has clean



antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR against the petitioner, the petitioner, above named, is directed to be released on anticipatory bail, in the event of his/her arrest or surrender before the learned Court below within a period of four weeks from today, 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 II, Aurangabad (Bihar) in connection with Obra P.S. Case No. 497 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

Mantreshwar/-
Ashishsingh/-

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