

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32809 of 2024

Arising Out of PS. Case No.-258 Year-2024 Thana- Excise P.S. District- Aurangabad

Guru Kumar Mehta Son of Krishna Mahto R/o village - Neyamatpur, P.S.-
Dhibra, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-09-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends arrest in connection with
Excise P.S. Case No. 258 of 2024 registered under Sections
30(a)/2(3) of Bihar Excise Act.

3. As per prosecution case, 3.90 liters beer was recovered
from the motorcycle of the petitioner.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case only because he is the owner of
the motorcycle in question. Nothing has been recovered from
the conscious possession of the petitioner. At the relevant time,
the motorcycle of the petitioner was taken by co-accused Ashok



Kumar, who is own brother of the petitioner, for purchasing some household articles, and without knowledge and consent of this petitioner, the vehicle was being used for transportation of illicit liquor. Petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Considering the quantity as well as the clean antecedent, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise-II, Aurangabad in connection with Excise P.S. Case No. 258 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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