

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37296 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- JAMHOR District- Aurangabad

Arjun Mehata @ Arjun Mehta @ Arjun Kumar S/o- Bindeshwari Mehta
Village- Raghunathpur Ps- Jamhor Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rupa Kumari, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

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

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jamhor P.S. Case No.
38 of 2024, instituted for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 87 liters
liquor was recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is further
submitted that the alleged recovery has been made under the
staircase of the house of the petitioner which is outside the



house and in an open place. The petitioner is in custody since 25.04.2024 and has got three criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jamhor P.S. Case No. 38 of 2024, 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.

(Rudra Prakash Mishra, J)

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