

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67050 of 2024

Arising Out of PS. Case No.-100 Year-2024 Thana- SUPAUL District- Supaul

=====

Dilip Kumar Mehta Son of Bechu Mehta R/o Village- Narpatpatti Ward No.8,
P.S.- Ratanpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 03-10-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Supaul PS case no. 100 of 2024, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2022.
3. The prosecution story, as per the First Information
report, is that on 09.02.2024, while the police party was on
patrolling, they got information that illicit liquor has been kept
in a white coloured Innova car. Thereafter, police party
proceeded towards the place of occurrence and upon seeing the
police party, some persons succeeded in fleeing away from the
car. Total 70.125 liters of illicit liquor has been recovered from
the said Innova car.



4. Learned Counsel for the petitioner submits that petitioner has been made accused in this case on the basis of the fact that he happens to be the first owner of the car in question. He further submits that the car was purchased by the petitioner on loan taken from Chola Mandalam Investment and Finance Company Limited, which was re-saled by the petitioner in favour of its purchaser namely Prabhas Yadav on 01.09.2022, for which, an agreement letter/ sale letter was prepared. He next submits that the present occurrence has taken place on 09.02.2024 and on that date, the car was in the possession of Prabhas Yadav.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the *prima facie* evidence that the petitioner had sold the car in favour of Prabhas Yadav before the date of occurrence, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Judge, Special Excise Court



No. 1, Supaul in connection with Supaul PS case no. 100 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

rinkee/-

U		T	
---	--	---	--

