

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69837 of 2023**

Arising Out of PS. Case No.-397 Year-2023 Thana- NARPATGANJ District- Araria

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Anandi Mehta @ Anandi Kumar Mehta, aged about 19 years, (M), S/O
Ramesh Mehta, R/O Village- Dumarbanna, Ward No. 03, P.S- Narpatganj,
Distt.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party : Mr. Sharda Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-01-2024 This matter has been listed under the heading “For
Orders (on office notes)”.

2. Let the defect, as pointed out by the office notes
dated 10.10.2023, be ignored.

3. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

4. The petitioner is apprehending his arrest in
connection with Narpatganj (Ghurna) P.S. Case No. 397 of 2023
dated 18.07.2023 registered for the offence punishable under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

5. As per the prosecution case, total 65.4 litres of
Nepali liquor was recovered from the open field which is
situated back of the house of the petitioner.



6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that the place from where the alleged liquor was recovered does not belong to the petitioner. The petitioner has been made accused in the present case only on the suspicion. Except suspicion, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no compliance of Section 100 of Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. No case is made out against the petitioner.

7. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Araria, in connection with Narpatganj (Ghurna) P.S. Case No. 397 of 2023, subject to the condition as laid down under Section



438(2) of the Code of Criminal Procedure.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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