

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6492 of 2024

Arising Out of PS. Case No.-147 Year-2017 Thana- DAGARUA District- Purnia

RAJA MEHTA @ RAJA KUMAR MEHTA @ RAJ KAMAL MEHTA S/o
Kamlesh Mehta R/O Village-Gerabari Basgara, Thana-Korha, District-
Katihar(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dhagarua P.S. Case No. 147 of 2017 instituted for the offences
under Sections 30(a)/41 of the Bihar Prohibition and Excise Act
and Section 273 of the Indian Penal Code.

3. Prosecution story, in short, is that total 27.750 litres
of illicit liquor was recovered from the car.

4. Learned counsel for the petitioner submitted that the
petitioner 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
recovery. The name of the petitioner transpired on the basis of
confessional statement of co-accused persons Amit Kumar and



Khurshid Alam. Learned counsel further submitted that the co-accused persons Amit Kumar and Khurshid Alam have been granted bail vide Cr. Misc. No. 53834 of 2017 and Cr. Misc. No. 57581 of 2017 by the co-ordinate Benches of this Court. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.10.2023 and has two criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhagarua P.S. Case No. 147 of 2017.

(Rudra Prakash Mishra, J)

Alok Verma/-

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