

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23654 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- FULKAHA District- Araria

Vaijnath Mehta @ Baijnath Mehta S/O Nand Kumar Mehta R/O Village-
Manikpur Pathraha, P.S- Fulkaha, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 05-05-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Fulkaha P.S. Case No. 15 of 2025 lodged on 19.01.2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution, total recovery of 67.05 litres of illicit liquor has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the recovery of alleged liquor has been made from a motorcycle which was registered in the name of petitioner. Counsel submits that petitioner had given his motorcycle to one of his relative and petitioner was completely unaware about the fact that his motorcycle was used for illegal purpose. Counsel



submits that in future, petitioner shall not repeat such type of mistake. Counsel further submits that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that petitioner has no criminal antecedent.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of District and Additional Sessions Judge-cum-Exclusive Special Judge Excise-II, Araria, in connection with Fulkaha P.S. Case No. 15 of 2025, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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