

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47287 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- Excise P.S. District- Supaul

Niraj Mehta @ Niraj Kumar Mehta S/o Nago Mehta R/O Village- Laxminiya,
P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-07-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Madh Nishedh P.S. Sadar, Supaul Case No.67 of 2025 lodged on 25.02.2025, for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution, the total recovery of 63 litres of illicit liquor has been made from a residence of accused persons, 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 also submits that petitioner was not present on the spot and his name has been transpired unnecessarily. Counsel further submits



that criminal antecedent of the petitioner is not clean as there is one case relating to excise, pending against him in which he is on bail. He further submits that nothing has been recovered from conscious possession of the petitioner.

5. Counsel further submits that the observance of the District Court is not in accordance with the record.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is not clean as there is one case relating to excise, pending against him and this aspect must be taken into consideration.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 6 weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

Prakashmani/-

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

