

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62789 of 2025

Arising Out of PS. Case No.-223 Year-2023 Thana- MADANPUR District- Aurangabad

Premnath Mehta S/O Mathura Mahto R/O Village- Tilir, P.S- Jihu, Distt.-
Hazaribagh, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-09-2025 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Madanpur P.S. Case No. 223 of 2023 registered for the offences punishable under Sections 30(a), 34, 36 of Bihar Prohibition and Excise Act, 2018.

3. The allegation against the petitioner is to be engaged in illegal trading/manufacturing of illicit liquor, where, there is recovery of 2100 litres of IMFL/country made liquor

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner implicated with present case qua



recovery of illicit liquor only for the reason that he is the owner of the truck, which found carrying consignment of aforesaid illicit liquor, where nothing transpired during investigation till now that petitioner was under knowledge being the owner about the carrying of aforesaid consignment. It is further submitted that recovery was not made from the conscious physical possession of this petitioner. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as implication of petitioner *prima-facie* appears being owner of the truck carrying consignment of illicit liquor, where admittedly recovery of illicit liquor not appears to be made from the conscious physical possession of this petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four



weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Addl. Sessions Judge cum Exclusive Special Judge, Excise Court 01, Aurangabad /concerned Court, where the case is pending in connection with Madanpur P.S. Case No. 223 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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