

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64377 of 2018

Arising out of P.S.Case No.-532 Year- 2018 Thana-Narpatganj District-Araria

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1. Shiv Shankar Mehta Son of Shri Bhuvneshwar Mehta @ Bhuneshwar Mehta Resident of Village-Nirmali, P.S. Ba-- Bazar, District-Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.Kumar

For the Opposite Party/s : Mr.R.Chandra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-10-2018 Heard the parties.

Petitioner seeks bail in Special Case No.1058 arising out of Narpatganj P.S. Case No. 532/18 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

Allegation as per the F.I.R. is of recovery of 99.6 liters of Nepali wine from the motorcycle of the petitioner.

Submission on behalf of the learned counsel for the petitioner is that nothing has been recovered from the motorcycle of the petitioner and the seizure list also shows that two witnesses were present at the spot and made their signature whereas as per the F.I.R. the petitioner was apprehended at a lonely place at 4.00 P.M. He is in custody since 06.09.2018 having no criminal



antecedent.

Heard the learned A.P.P. also.

Having heard both sides and in view of the fact that the petitioner has no criminal antecedent, this application is disposed of with direction to the learned trial court to verify criminal antecedent of the petitioner and on finding no antecedent against him, he will release the petitioner on bail to his own satisfaction.

(Vinod Kumar Sinha, J)

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