

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64404 of 2018

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1. Rahul Kumar, Son of Jitendra Kumar, Resident of Village- Nizamuddin,
P.S.+District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Barachatti P.S.Case No. 548 of 2018, registered for offences punishable under Sections 30 (a), 38, 47 of the Bihar Prohibition and Excise Act, 2017.

Allegation as per F.I.R. against the petitioner is of recovery of 252 liters of different type of wine from the Scorpio vehicle of the petitioner.

Submission of the learned counsel for the petitioner is that the petitioner is neither owner nor driver of the vehicle and nothing has been recovered from conscious possession of the petitioner and the petitioner has no criminal antecedent moreover he is in custody since 18.08.2018.



Heard learned A.P.P. opposes the prayer for bail.

In view of the discussions made above, this application is disposed of with direction to the Court below to verify the criminal antecedent of petitioner and if he has no criminal antecedent, he may be released on bail to his own satisfaction.

With the aforesaid observation, the instant petition is disposed of.

(Vinod Kumar Sinha, J)

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