

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11011 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- BIRPUR District- Supaul

SHIV KUMAR MEHTA @ SHIV KUMAR S/o Vindeshwari Mehta R/o
Village- Kataiya, Ward No.01, P.S.- Birpur, District-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 17.01.2019 in a case registered for the offences punishable under Section 414 of the Indian Penal Code and Section 30 (a) Bihar Prohibition and Excise Act, 2016.

It is alleged that 30 liters of Nepali country made liquor were recovered from the auto rickshaw of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner was a simply driven the alleged auto rickshaw and he was not aware about the liquor being carried by the passenger. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the said



recovery has been made from the auto rickshaw of the petitioner.

Considering the quantity of recovery and the period under custody, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-IIInd-cum-Special Judge Excise Act, Supaul in connection with Birpur P.S. Case No. 15 of 2019.

(Dinesh Kumar Singh, J)

Ashwini/devendra

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