

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5986 of 2017

Arising Out of PS.Case No. -49 Year- 2016 Thana -GANGTA District- MUNGER

=====

Gautam Kumar Sao Son of Late Patthar Sao @ Baleshwar Sao Resident of
Mohala- Bekapur, P.S.- Kotwali, District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Indu Bhushan

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 23-02-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Gangta P.S. Case No. 49 of 2016 for the offence punishable under section 30 (a) of the Bihar Excise (Amendment) Act, 2016.

Allegedly, Pawan Kumar, the driver, and Ravi Sahni were apprehended from the Sumo Victa Car from where foreign liquor was recovered and Pawan Kumar and Ravi Sahni stated the name of the petitioner and others that they succeeded in fleeing away.

Submission is of false implication due to enmity with Pawan Kumar and Ravi Sahni, the petitioner was not apprehended



at the spot, nothing has been recovered either from his possession or from his house and without any fault the petitioner is apprehending his arrest. Seizure list has been prepared in utter violation of section 100 of the Cr.P.C.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, considering that the name of the petitioner has come in the statement of the co-accused made before police and nothing has been recovered either from possession of the petitioner or from his house and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. Sri Arbind Kumar Singh, J.M. 1st Class, Munger in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

Abhay/-

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

