

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37983 of 2018

Arising Out of PS. Case No.-124 Year-2014 Thana- Vijaypur District- Gopalganj

Banarasi Sah @ Banarasi Gupta, Son of Late Bindeshwari Sah, Resident of
Village- Ghat Badhoura, Goeta Tola, P.S.- Vijaipur, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-07-2018 Heard Sri Sanjay Kumar Pandey No-5, learned
counsel for the petitioner and Sri Madan Kumar, learned Addl.
Public Prosecutor.

The sole petitioner, apprehending his arrest in
Bijaypur @ Vijaipur P.S. Case No. 124 of 2014 registered for
offence under Sections 272, 273 of the Indian Penal Code and
Section 47(a) of the Excise Act, has prayed for grant of
anticipatory bail.

At the very outset, learned counsel for the petitioner,
by way of referring to the statement made in paragraph -3 of the
petition, submits that petitioner is having clean antecedent. He
has also drawn my attention to the statement made in paragraph-6
of the petition to show that petitioner is an old man aged about
60 years. He submits that in this case, nothing was recovered



either from the conscious possession or premises/field of the petitioner, rather in this case, there was recovery of 30 litres of spirit from the bank of a river and petitioner has falsely been implicated in this case.

Considering the fact that petitioner is having clean antecedent as well as fact that recovery was not affected either from the conscious possession or from the field of the petitioner, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Banarasi Sah @ Banarasi Gupta be enlarged 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 Addl. Sessions Judge-II-cum-Special Judge, Gopalganj in connection with Bijaypur @ Vijaipur P.S. Case No. 124 of 2014, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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