

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41250 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- BARSOI District- Katihar

GANESH KUMAR SAH, aged about 44 years, Male, Son of Sitaram Sah @
Babua Sah, Resident of Village - Saribari, Machhua Toli, P.S.- Barsoi, Distt –
Katihar ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Adv.
For the Opposite Party : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 04-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Barsoi P.S. Case No. 77 of 2019 for the offence alleged under
Section 30() of the Bihar Prohibition and Excise Act, 2016.

The accusation is that in course of the patrolling duty
one person, who was carrying bag, started fleeing away
throwing the bag. On search of bag, 500 pouches, each
containing 180 ml Indian made foreign liquor, recovered and on
query it was detected that the person who succeeded in fleeing
away was Ganesh Kumar Sah (petitioner).

The submission of the learned counsel for the
petitioner is that neither the petitioner was apprehended on the
spot nor anything has been recovered from his possession rather
it has come that the informant said that the person, who fled



away, was the petitioner and the petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Barsoi P.S. Case No. 77 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge II-cum-Special Judge, Katihar, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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