

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39398 of 2020

Arising Out of PS. Case No.-69 Year-2020 Thana- RAHUI District- Nalanda

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Gautam Kumar Son of Bindeshwar Prasad Resident of Village- Gandhi
Nager, P.S.- Parwalpur, District Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-10-2021 Let the defect(s), as pointed out by the Office, be

removed within four weeks of start of normal functioning of the

physical Court.

Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

The petitioner is apprehending his arrest in connection
with Rahui P.S. Case No.69 of 2020 registered for the offence
under Sections 30(a) of the Excise Act.

As per prosecution case, after receiving a secret
information, the police officials reached near bus stand and
found one Honda City car in which four persons were sitting
and after seeing the police party, they started to escape from the
place of occurrence but they were subsequently arrested except
petitioner. On search of the said vehicle, 126.7 liters of illicit



liquors along with mobiles were recovered.

Learned counsel for the petitioner submits that the petitioner has committed no offence and he has falsely been implicated in this case. He further submits that petitioner is neither the owner of the car nor any liquor has been recovered from the conscious possession of the petitioner. He further submits that petitioner has clean antecedent.

However, learned APP for the State vehemently opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, in the event of his arrest or surrender before the court below within six weeks from today, the petitioner is directed to 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 3rd Additional Sessions Judge-cum-Special Judge, (Excise) Nalanda at Bihar Sharif in connection with Rahui P.S. Case No.69 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajesh Kumar Verma, J)

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