

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17997 of 2021

Arising Out of PS. Case No.-147 Year-2020 Thana- LODIPUR District- Bhagalpur

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GAURI SHANKAR SAH SON OF WAKIL SAH RESIDENT OF VILLAGE
DERAMA, P.S.- BASANTRA, DISTRICT- GODDA,(JHARKHAND)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kamlesh Kumar Pathak, Advocate
		Mr. Pankaj Kumar, Advocate
For the Opposite Party/s	:	Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-01-2022 Heard Mr. Kamlesh Kumar Pathak, learned Advocate for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Lodipur P.S. Case No. 147 of 2020 dated 07.08.2020 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Two persons were arrested from a tempo/three wheeler and from their possession 75.780 litres of liquor was recovered. They have disclosed the name of the petitioner as the person for whom they had been working.

Learned counsel for the petitioner has submitted that beyond the aforesaid confession, there is



no other material to connect him with the offence.

The petitioner does not have criminal antecedents.

On these two grounds, it has been urged on behalf of the petitioner that the offence under the Excise Act cannot at all be said to have been made out against him.

For the reasons aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, (Excise), Bhagalpur in connection with Lodipur P.S. Case No. 147 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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