

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17914 of 2022**

Arising Out of PS. Case No.-95 Year-2022 Thana- BHAGALPUR KOTWALI District-  
Bhagalpur

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GAUTAM SINGH SON OF BHIM SINGH R/O MOHALLA-  
KAZIWALICHAK, P.S.- TATARPUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf, Advocate  
For the Opposite Party/s : Mr.Atul Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      29-07-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case  
registered for the offences punishable under Section 30(a) of the  
Bihar Excise Act.

Learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and allegation is of  
recovery of 231.750 litres of liquor from a room in the fish  
market allegedly belonging to the petitioner.

Learned counsel for the petitioner submits that the  
petitioner was not apprehended from the spot as such nothing  
was recovered from his conscious possession and the petitioner  
came to be implicated at the behest of his rival shopkeeper Soni



Mandal. Learned counsel further submits that fish market is a place which is accessible to one and all and falsity of the allegation would manifest from perusal of the seizure list as it is alleged that recovery was made from the house of the petitioner whereas in the F.I.R. it is alleged that the same was recovered from the shop of the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kotwali P.S. Case No. 95 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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