

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48203 of 2022

Arising Out of PS. Case No.-232 Year-2022 Thana- KALYANPUR District- Samastipur

Ghanshyam Kumar @ Ghanshyam Kumar Sah @ Pappu Sah S/O Upendra
Sah R/O Village- Lachhrampur, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioner and
learned APP for the State.

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

It is a case of recovery of 25.5 litres (12 bottles
of 750 ml and 22 bottles of 750ml) of Indian made Foreign
Liquor from motorcycle of the petitioner and from the field
of accused Tuntun Sah.

It is submitted by learned counsel for the
petitioner that petitioner was not apprehended from the
spot. Nothing has been recovered from the conscious



possession of the petitioner. The name of the petitioner has come only because he is the owner of the said motorcycle. It is also submitted that petitioner had parked his motorcycle and when he woke up in the next morning he found his motorcycle missing. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

The petitioner is directed to deposit a sum of Rs. 5,000/-(Rupees Five Thousands) in the District Legal Services Authority, Samastipur.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court I, Samastipur in connection with Kalyanpur P.S. Case No. 232 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted



by the learned Court below on showing receipt of deposit of
Rs. 5,000/-(Rupees Five Thousands) in District Legal
Services Authority, Samastipur.

(Sunil Kumar Panwar, J)

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