

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17479 of 2023

Arising Out of PS. Case No.-179 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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GAURI SHANKAR SAH Son of Late Rajendra Sah R/V- Bhagwanpur P.S-
Dhaka Dist- East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offence 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 is aged about 69
years and allegation is of recovery of 153 liters of liquor from a
motorcycle.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next
submitted that petitioner had sold his motorcycle to Awanish



Kumar Sah on 24.06.2014 i.e., much prior to the occurrence, it is also submitted that had the petitioner been the owner of the motorcycle then definitely being a prudent person he would never has used his own motorcycle for committing a crime and thus would create evidence against himself and hence would get implicated easily, when admittedly petitioner is a person with clean antecedent and is a senior citizen.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise P.S. Case No. 179 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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