

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35610 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- SIKANDRA District- Jamui

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GAUTAM SINGH ANIL SINGH RESIDENT OF VILLAGE- KARMA, PS-
SIKANDRA, DISTRICT -JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2023 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 offences punishable under Section 30(a) of the Bihar Excise Act and Sections 25(1-b)a/26 of Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with three antecedent and allegation is of recovery of 2.250 liters of liquor from a Swift Car and one Shambhu Verma was arrested alongwith a country made musket.

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 he came to be implicated based on confessional statement of Shambhu Verma in police custody which does not have any evidentiary value and



it is next submitted that petitioner is not the owner of the Swift Car.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it is not the case under the Excise Act rather it is a case in which Arms Act is also attracted, it is further submitted that no doubt country made musket was recovered from Shambhu Verma but then he only disclosed that the petitioner was accompanying him and who fled.

It is next submitted that petitioner has criminal antecedents also.

Considering the submissions made by the learned APP for the State, the Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

Adnan/-

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