

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75955 of 2024**

Arising Out of PS. Case No.-767 Year-2022 Thana- Excise P.S. District- Bhagalpur

Gautam Kumar Sah Son of Mohan Sah R/O Vil.- Bhudiya, P.S.- Sanhaura,  
Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH**  
**ORAL ORDER**

2      22-11-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in a case instituted for the offence punishable under Sections 30(a) of the Bihar Prohibition & Excise Act.

3. It is a case of recovery of six litres of country made liquor from a motorcycle bearing Reg. No. JH-17M-1686. Petitioner is alleged to be the owner of the aforementioned motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. Neither the petitioner is apprehended on spot nor anything incriminating has been recovered from his conscious possession. He has no concern with the illicit liquor. The petitioner has been dragged in this case merely on the basis that illicit liquor has been seized from his motorcycle to which the petitioner has no knowledge. There is no independence witness of the alleged seizure. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Excise (Sadar) P.S. Case No. 767 of 2022, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional District & Sessions Judge IX, Bhagalpur, subject to  
the conditions as laid down under section 438(2) of the  
Cr.P.C.

(S. B. Pd. Singh, J)

Nirajkrs/-

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