

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7865 of 2020**

Arising Out of PS. Case No.-586 Year-2019 Thana- GAYA KOTWALI District- Gaya

UJJWAL KUMAR s/o Anil Kumar, R/o Station Road, Domtoli, P.S. Kotwali,  
District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      29-02-2020      Heard learned counsel for the parties.

Petitioner apprehend his arrest in a case registered for the offence punishable under Sections 420, 406/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Informant has alleged in his self statement that he received secret information on 26.12.2019 that near the house of Gautam Kumar @ Babloo Kumar vehicles have been kept loaded with illicit liquor and as he reached said place he found the illicit liquor being unloaded in the house of Gautam Kumar and on seeing police personnel, people assembled there tried to flee away, however, eight miscreants were apprehended on the spot and total 2195.18 litre of Indian made foreign liquor was recovered.



It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Gautam Kumar @ Babloo. It has been further submitted that neither the petitioner was apprehended on the spot nor any illicit liquor has been recovered from his possession, as such no offence under Excise Act is made out against him. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail in the event of his/her arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Kotwali P.S. Case No. 586 of 2019**, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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