

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.73635 of 2018

Arising Out of PS. Case No.-376 Year-2018 Thana- GAYA MUFASIL District- Gaya

Umesh Goswami, Son of Late Lakhan Goswami, Resident of Mohalla-
Janakpur, P.S.-Muffasil, District-Gaya ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Adv.

For the Opposite Party : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 03-02-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Muffasil P.S. Case No. 376 of 2018, registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information
about carrying the liquor loading on white colour Tata Magic
pick-up van by Chhotu Kumar, his father, Umesh Goswami,
from Mohalla Janakpur, the informant, along with other police
personnel, reached there and saw the Tata Magic pick-up van in
parking condition. On seeing the police party, the accused
persons started to flee away jumping from the pick-up van, but,
one was apprehended, who disclosed his name Chhotu Kumar.
On search, one carton, containing 48 bottles of 180 ml each, 4
cartons, each containing 24 bottles of 375 ml, 5 cartons, each
containing 24 bottles of 375 ml, 10 cartons, each containing 24
bottles of 375 ml each, 4 cartons, each containing 24 bottles of
375 ml recovered. Chhotu Kumar, who was apprehended there



disclosed the name of person, who succeeded in fleeing away, as his father, Umesh Goswami.

Submission is that the petitioner is the father of the co-accused, Chhotu Kumar, due to that reason the police has implicated the petitioner in this case. While the petitioner is accused in Amas P.S. Case No. 11 of 2016, for offence under Sections 399 and 402 of the Indian Penal Code, but, the petitioner is on bail in that case.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Muffasil P.S. Case No. 376 of 2018 shall be released 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 the Special Judge, Excise, Gaya, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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