

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13815 of 2020**

Arising Out of PS. Case No.-5 Year-2019 Thana- BIBHUTIPUR District- Samastipur

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GAURAV KUMAR Son of Sanjiv Kumar Singh @ Sanjeev Kumar, Resident
of Village-Patailiya, Police Station-Vibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Adv.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 05-04-2021 Heard both sides.

The petitioner apprehends his arrest in Vibhutipur P.S.

Case No.05 of 2019 registered under Sections 272 and 273 of
the Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act.

The police apprehended one Shubham Kumar, who
disclosed the name of the petitioner and others. Shubham
Kumar also disclosed that the petitioner and other accused
persons are involved in illegal trade of illicit liquor.

Learned counsel for the petitioner submits that
nothing has been recovered from possession of the petitioner.
The petitioner has got no criminal antecedent. The name of the
petitioner surfaced in the case in the confessional statement of
Shubham Kumar. Save and except the confessional statement of



Shubham Kumar, there is no other material to show the involvement of the petitioner.

Taking into consideration the facts that save and except the confessional statement of Shubham Kumar, there appears no material against the petitioner and the petitioner has got no criminal antecedent, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge, Excise, Samastipur in connection with Vibhutipur P.S. Case No.05 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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