

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22423 of 2022

Arising Out of PS. Case No.-617 Year-2020 Thana- KHAGARIA District- Khagaria

UDAY KUMAR @ UDAY SINGH S/o Arbind Singh, Resident of Village-
Jahangir Shobhani, P.S.- Gangour, District- Kahagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 06-07-2022 The learned counsel for the petitioner is directed to
remove all the defects, if any, pointed out by the office within
one month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Khagaria (Gangaur) P.S. Case No. 617 of 2020 registered for
offence punishable under sections 341, 147, 431, 188, 353, 504
and 506 of the Indian Penal Code.

As per allegation, the police got information that
co-accused Basant Kumar in his grocery shop has stored illegal
liquor. The police party raided his shop and eighteen named
accused persons, including the present petitioner and fifty-sixty



unknown after forming unlawful assembly, created road jam.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated. The case has been registered in Excise Act and some co-accused persons have been granted bail by the court below, but the anticipatory bail petition of the present petitioner was rejected on the ground that he has one criminal antecedent. That criminal antecedent was for trivial matter under sections 323, 341, 504 etc. and not related with the present case. He has submitted further that there is only allegation against the petitioner that being the member of unlawful assembly he created road jam. There is no allegation against him to store illicit liquor or selling thereof.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 617 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the



petitioner within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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