

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55263 of 2023

Arising Out of PS. Case No.-587 Year-2023 Thana- SHERGHATI District- Gaya

=====

BABLU YADAV @ BABLU KUMAR @ GAUTAM KUMAR son of Late
Munna Yadav Mohalla- Tutbari Jhilganj New Godown Ps- Kotwali Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-08-2023 Heard Mr. Mukesh Kumar, learned counsel for the

petitioner and Mr. Kalyan Shankar, learned Additional Public

Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with

Sherghati (Dobhi OP) PS Case No. 587/2023 dated 05.06.2023

registered for the offence punishable under Sections

30(a)/32(ii),(iii)/36/41(i),(iii) of Bihar Prohibition & Excise Act

2022.

3. On 04.06.2023, on the basis of confidential

information, a truck was intercepted by the police and on seeing

the police party, the truck driver started fleeing away but he was

apprehended. However, one person managed to escape. On

enquiry the truck driver disclosed his name as Bablu Kumar and

upon search of the said truck IMFL of different brands and beer

totaling 3835 litres have been recovered from the truck.



4. Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case on the basis of statement made by the truck driver. Referring to para-7 of the present petition, learned counsel further submits that the petitioner is neither the owner of the truck in question nor having any concern with the illicit liquor. No recovery of illicit liquor has been made from the conscious possession of the petitioner.

5. Having regards to the submissions made by the parties and taking into consideration the material on record and the fact that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor the truck in question belongs to him and his name has been disclosed by the truck driver, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, ***BABLU YADAV @ BABLU KUMAR @ GAUTAM KUMAR*** be released on anticipatory bail in the event of arrest or surrender within six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Gaya in connection with Sherghati (Dobhi OP) PS Case No.



587/2023, subject to the condition as laid down under Section
438(2) of the CrPC.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

