

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3514 of 2017

Arising Out of PS.Case No. -190 Year- 2016 Thana -BAUSI District- PURNIA

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Nitesh Kumar Singh, age about 23 years S/o Lal Prasad Singh R/o Village-
Hansa, P.S.- Raniganj, District- Araria, Bihar. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Mr. Smt Renu Kumari

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 27-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Baisi P.S.
Case No. 190 of 2016 registered for the offences punishable under
Section 273 of the Indian Penal Code and Section 30 (a) of Bihar
Prohibition and Excise (Amendment) Act, 2016.

Allegedly, the petitioner and co-accused tried to flee
away after stopping Tata Nano Car but they were caught and after
search from Tata Nano Car 40 bottles of Royal Stag foreign liquor
each containing 180 ml. and 10 bottles of Officers Choice
Prestige Whisky each containing 180 ml. were recovered and
further from possession of the petitioner one Samsung mobile was
recovered.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner, the



petitioner has been made victim of circumstances, the petitioner has no concern with the alleged Nano Car, only on suspicion the petitioner has been apprehended and remanded in this case, the petitioner is suffering in custody since 03.11.2016 and now he has been sufficiently penalized.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 2, Purnea in connection with Baisi P.S. Case No. 190 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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