

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48779 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -VAISHALI District- VAISHALI (HAJIPUR)

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Nitesh Kumar Son of Shyam Kishore Singh, Resident of village-
Dharampur, P.S.- Vaishali, District- Hajipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Y.V. Giri, Sr. Advocate
Mr. Pranav Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-10-2017 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. The petitioner has renewed his prayer for bail in connection with Vaishali P.S. Case No. 107 of 2017 for the offences alleged under Sections 30(A), 32(2), 41(i) of the Bihar Prohibition & Excise Amendment Act having earlier been rejected by this Court by order dated 06.07.2017 in Cr. Misc. No. 26770 of 2017.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 710 litres of foreign liquor. It is also submitted that in fact, no recovery as alleged has been made from conscious possession of the petitioner. Similarly situated co-accused Sunil Paswan has been granted by a Bench of this Court in Cr. Misc. No. 43853 of 2017. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and having regard to the period of custody since 29.04.2017, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction



of learned Additional Sessions Judge-II cum Special Judge, Vaishali at Hajipur , in connection with Vaishali P.S. Case No. 107 of 2017 on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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