

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76123 of 2018

Arising Out of PS. Case No.-264 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Nikesh Kumar @ Nikesh Sah S/o Uma Shankar Sah R/o Village- Katalpur,
P.S. G.B. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with G.B. Nagar P.S. Case No. 264 of 2018
registered for the offence punishable under Sections 272/273
and Section 308 of the Indian Penal Code and 3(A), 38, 41(1) of
Bihar Prohibition and Excise Act.

Allegation against petitioner is of recovery of 18
litres of foreign liquor from Dalan.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case.
Petitioner is in custody since 10.09.2018.

Considering the aforesaid facts and circumstances of



the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Siwan, in connection with G.B. Nagar P.S. Case No. 264 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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