

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58775 of 2018

Arising Out of PS. Case No.-85 Year-2017 Thana- MADHUBAN District- East Champaran

Nitesh Singh @ Nitesh Kumar, Son of Ramadhar Singh, Resident of Ward No.7, Village- Madhopur, Police Station- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 06-10-2018 I have heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under sections 272, 273 and 188 of the Indian Penal Code and Sections 30 (a), 38(a), 38(b) and 38(c) of the Bihar Prohibition and Excise Act, 2016.

It is contended that, as per allegation, 147 litres country-made liquor was recovered from Panchayat Bhawan. Petitioner claims that he was neither arrested on spot nor was anything recovered from his possession . It is further contended that the co-accused, namely, Wakil Rai and Sanjay Sah and Rahul Kumar @ Koysa have been granted bail vide Annexure 3 series. Petitioner claims that he is in custody since 10.8.2018.



Having regard to the facts and circumstances of the case, the above named petitioner is directed to be released on bail on his furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, East Champaran at Motihari in connection with Madhuban P.S. Case No. 85 of 2017.

If the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

That apart, in view of the antecedents of the petitioner, he would be required to appear before the Superintendent of Police, East Champaran at Motihari within fifteen days of his release with a copy of this order and every month thereafter for the next six months. The conduct of the petitioner will be kept under watch in the aforesaid period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the



petitioner before the court concerned which should be granted
by the Superintendent of Police concerned upon his appearance.

(Dr. Ravi Ranjan, J)

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