

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7596 of 2019

Arising Out of PS. Case No.-443 Year-2018 Thana- CHIRAIYA District- East Champaran

NIRAJ KUMAR aged 35 years Male s/o Shri Shyam Nandan Singh @ Shiv
Nand Singh R/o village- Pansalwa, P.S- Chiraiya, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv
For the Opposite Party/s : Mr. Ajay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Chiraiya P.S. Case No. 443 of 2018** registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 128.775 litre of foreign liquor from the house of petitioner on specific information received by the Informant and petitioner was apprehended on the spot and illicit liquor was seized.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case and nothing has been recovered from the house of petitioner which is apparent from the seizure list as the place of seizure has not



been mentioned in the seizure list. Petitioner has got no criminal antecedent and is in custody since 15.12.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Special Judge, Excise, East Champaran, Motihari**, in connection with **Chiraiya P.S. Case No. 443 of 2018**, with following conditions:-

(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 properly 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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