

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.36741 of 2019

Arising Out of PS. Case No.-5 Year-2019 Thana- BIBHUTIPUR District- Samastipur

CHIKKU KUMAR SINGH @ CHIKKUA @ CHHIKU SINGH @ CHIKKU
SINGH @ CHIKUAA @ CHIKU KUMAR SINGH @ CHIKUA, aged about
30 years, Male, Son of Late Sanjeev Singh @ Late Sanjeev Kumar Singh,
Resident of Village-Sakh Mohan, Police Station-Bibhutipur, District-
Samastipur ... Petitioner

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner : Mr. Kamlesh Kumar Pathak, Adv.

For the Opposite Party : Mr. Pancha Nand Pandit, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 18-06-2019 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
23.02.2019 in connection with Bibhutipur P.S. Case No. 5 of
2019 for the offences alleged under Sections 272 and 273 of the
Indian Penal Code and under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

The prosecution case, as lodged by the police
personnel, is that 78.840 liters of Indian made foreign liquor
was recovered from the orchard of co-accused, Rajeshwar Singh
and petitioner's name surfaced on the basis of the confessional
statement of the apprehended co-accused, Subham Kumar @
Manu, who revealed that the petitioner is also involved in trade
of illicit liquor. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has



been falsely implicated in the aforesaid case. He submits that he is languishing in judicial custody since nearly four months and there is no allegation of tampering with the prosecution evidence.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations, the period of custody as well as the fact that the petitioner does not bear any criminal antecedent as stated in paragraph 3 of the bail application, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bibhutipur P.S. Case No. 5 of 2019 to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge, Excise, Samastipur, or the successor Court, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Shamshad/-

U			
---	--	--	--

