

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78534 of 2018

Arising Out of PS. Case No.-1151 Year-2018 Thana- SAHARSA District- Saharsa

Niraj Singh alias Niraj Kumar son of Anand Kishore Singh, resident of Village-Jirwa, Police Station-Sour Bazar (Patarghat O.P.), Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Sri Nityanand (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special (Excise) Case No. 552 of 2018, arising out of Saharsa Sadar P.S. Case No. 1151 of 2018, registered for the offences punishable under Sections 30(a), 38(1) and 41(1) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 52.920 liters of foreign liquor from the car of the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is driver of the vehicle and he had no knowledge about the seized liquor. Petitioner has no criminal antecedent and is in custody since 23.10.2018.



Considering the aforesaid fact 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 learned Special Judge, Excise Act-cum-A.D.J.-II, Saharsa, in connection with Special (Excise) Case No. 552 of 2018, arising out of Saharsa Sadar P.S. Case No. 1151 of 2018, subject to 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 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 bonds.

(S. Kumar, J)

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