

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70676 of 2018

Arising Out of PS. Case No.-278 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Nikesh Kumar @ Nikesh Sah S/o Uma Shankar Sah, resident of 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.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 25-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is an application for grant of regular bail filed on behalf of the petitioner. Petitioner is in custody in connection with G B Nagar PS Case No. 278 of 2018 for the alleged offence punishable under Sections 272, 273, 308, 413 and 414 of the Indian Penal Code and 30(a), 36, 38 and 41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation is that 8.64 liters of foreign liquor was seized from a bag kept on the motor cycle. Learned counsel for the petitioner submits that the motor cycle in question does not belong to the petitioner and petitioner is in custody since 30.8.2018.



Considering the fact that petitioner is in custody since 30.08.2018, this application is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Addl. Sessions Judge-cum-Special Judge, Siwan in connection with G B Nagar PS Case No. 278 of 2018.

However, while granting bail this Court is constrained to impose conditions that one of the bailors should be the elected representative of the local body and other bailor should be the parents of the petitioner. In the event the petitioner creates any impediment in early disposal of the case, trial court shall be at liberty to cancel the bail bond.

(Anil Kumar Upadhyay, J)

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