

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25948 of 2020**

Arising Out of PS. Case No.-301 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

NITIN KUMAR @ JATIN KUMAR S/o Lal Bahadur Singh Resident of
Village- Pakari Naya Tola, Bhairapur, P.S.- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 05-10-2020 Learned counsel for the petitioner undertakes to

remove the defects within two weeks after start of normal

functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned APP for the State.

Petitioner in the present case is seeking regular bail

in connection with Kuchaikote P.S. Case No.301/2019

registered for the offences punishable under Section 414 of the

Indian Penal Code and Sections 30(a)/32(2)/41(1) of the Bihar

Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that

earlier the prayer for regular bail of the petitioner was rejected

by this Court vide order dated 13.12.2019 after finding that the



petitioner had three criminal antecedents which were not stated in paragraph '3' of the application. It is now submitted that the petitioner has been granted bail in all the three cases stated in paragraph '3' of the application and in connection with this case he has remained in custody for over one year.

Mr. Akhileshwar Dayal, learned APP for the State submits that in the nature of the cases stated in paragraph '3' of the application and the fact that the petitioner is on bail in all those cases as also that in the present case he has remained in custody for more than a year, normally this Court is granting regular bail in such matters.

Considering the facts and circumstances of the case, in the light of the discussions hereinabove, this Court directs release of the petitioner on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Excise Court, Gopalganj in connection with Kuchaikote P.S. Case No.301/2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence



similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

