

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22857 of 2020

Arising Out of PS. Case No.-63 Year-2020 Thana- CHIRAIYA District- East Champaran

NIRAJ KUMAR Son of Shyam Nandan Singh Resident of Village- Pansalwa,
P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.A.G.

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-09-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 414 of IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 51.600 litres of Nepali liquor from the house of petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case at the instance of his enemies. It has been submitted that the alleged liquor was seized from abandoned house which is situated opposite to his house. It has been further submitted that seizure has not been made in the presence of any independent witness.



Petitioner has got no criminal antecedent and is in custody since 29.02.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Chiraiya P.S. Case No. 63 of 2020**, 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 offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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