

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17948 of 2021**

Arising Out of PS. Case No.-87 Year-2020 Thana- NIMACHANDPURA District- Begusarai

BIKKU KUMAR SON OF LATE DAMRU SINGH RESIDENT OF
VILLAGE- BANHAR, WARD NO. 07, POLICE STATION-
NEEMACHANPURA, DISTRICT- BEGUSARAI

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary No.1, APP

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

2 12-07-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Sanjay
Kumar Tiwary No.1, learned APP for the State.

The petitioner in the present case is seeking regular bail in
connection with Neemachandpura P.S. Case No. 87 of 2020
registered for the offences punishable under Sections 272, 273 of the
Indian Pena Code and 30(A) Bihar Excise Act, 2016.

Learned counsel for the petitioner submits that as per the
prosecution story, four bora English wine 1. Mcdowells No. 1
whiskey 375 ml 308 bottles 2. Crazy Romeo of whiskey 180 ml 89
bottles were recovered from the house of this petitioner Bikku
Kumar.



Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case, he has no concern with the alleged illicit liquor. The petitioner is in custody since 22.10.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that this petitioner has been falsely implicated in this case, he has no concern with the alleged illicit liquor, he has got clean antecedent, in connection with the present case the petitioner has remained in jail since 22.10.2020, investigation against him is complete but the trial is not likely to be taken up in near future, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge -cum-Special Judge, Excise, Begusarai in connection with Neemachandpura P.S. Case No. 87 of 2020, subject to the conditions as laid down under Section 437(3) 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 is suspected, and



(c) that such persons shall not directly or indirectly make and 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 the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(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'.

