

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39800 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- SAHEBPUR KAMAL District- Begusarai

Nikhil Yadav @ Nikhil Kumar S/o Suman Yadav @ Suman Prasad Yadav
Resident of Village- Raghunathpur, P.S. - S. Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Ms.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Sahebpur Kamal P.S. Case No. 58 of 2020, registered for the offence punishable punishable under Sections 120(B), 224, 414/34 of the Indian Penal Code and sections 30(a), 32, 27, 41(i) of the Bihar Prohibition and Excise Act, 2016.

45 litres of foreign liquor has been recovered from the house of this petitioner.

It is submitted that no recovery has been made from conscious possession of this petitioner. Recovery has been made from the house which is in joint possession of the family. Petitioner is in custody since 04.06.2021 having no criminal antecedent, as stated in para 3 of the petition. Investigation is



complete.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 2nd-cum-Special Judge Excise Act, Begusarai in connection with Sahebpur Kamal P.S. Case No. 58 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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