

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40253 of 2021**

Arising Out of PS. Case No.-122 Year-2020 Thana- MAHESHKHUNT District- Khagaria

Nikku Singh @ Nikku Kumar Singh @ Nikesh Kumar Singh S/O Late Sushil
Singh R/o village- Rajdham, P.S.- Maheshkhunt, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 07-10-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Maheshkhunt P.S. Case
No. 122 of 2020, registered for the offence punishable
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

270 litres of foreign liquor has been recovered from
Basa of the petitioner.

It is submitted that no recovery has been made from
conscious possession of this petitioner. Recovery has been made
from the *Basa* which is open place and accessible to general
public. Petitioner is in custody since 02.04.2021 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 Special Judge Excise, Khagaria in connection with Maheshkhunt P.S. Case No. 122 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)

vinita/-

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