

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1725 of 2021

Arising Out of PS. Case No.-587 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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NIKKU SINGH @ NIKKU RAJA @ MRITUNJAY KUMAR Son of
Sachidanand Singh Resident of Village - Govind Fulkaha, P.S.- Kanti, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitu Kumari

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 30.09.2020 in
connection with Kanti (Panapur O.P.) P.S. Case No. 587/2020
registered for the offences punishable under Sections 30(a) of
the Bihar Prohibition and Excise Act.

As per the prosecution case, 1187 liters of foreign
liquor has been recovered from the poultry farm of the
petitioner and 18 litres of foreign liquor has been recovered
from the swift desire car which was parked near the house of
the petitioner.

It is submitted on behalf of the petitioner that



nothing has been recovered from the conscious possession of the petitioner. It is further submitted that petitioner is not the owner of the vehicle in question or the poultry farm from which the alleged recovery has been made. Chargesheet has already been submitted in this case and there is no allegation of tampering with the evidence. Petitioner bears clean antecedent and he is in custody since 30.09.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Special Judge, Excise, Muzaffarpur, in connection with Kanti (Panapur O.P.) P.S. Case No. 587/2020, subject to following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case, the prosecution will be at liberty



to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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