

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68697 of 2021

Arising Out of PS. Case No.-191 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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NIKKI SINGH @ NIKESH KUMAR, aged about 27 years, Gender-Male,
Son of Nakul Singh @ Nakul Prasad Singh, Resident of Village - Parora @
Sahna Parora, P.S. - S. Kamal, District – Begusarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sushil Kumar Jha, Advocate
For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of eight weeks.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Sahebpur Kamal P.S. Case No. 191 of 2021 for the offence
registered under Sections 414 of the I.P.C. and 30(a) of the
Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 1685.880
liters wine is recovered from the house of co-accused.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is alleged that total 1685.880 liters wine is recovered from the house of co-accused. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II-cum-Special Judge, Excise Act, Begusarai, in connection with S. Kamal P.S. Case No. 191/2021 being G.R.



No. 904/2021, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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