

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2746 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- SIKTI District- Araria

Md. Nadeem Son Of Alauddin Resident Of Village - Barhat, Ward No.01,
P.S.- Palasi, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kanchan Jha, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 04-04-2022 The applicant is given out of turn hearing on the basis of prescription of the Medical Officer of Sadar Hospital, Araria, showing ailment of his mother.

The applicant is accused in Crime No. 238 of 2021 registered with Sikti Police Station for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act. By this application he is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused as well as learned Additional Public Prosecutor appearing for the State.

The applicant is behind bar from December, 2021. Investigation of the subject crime is over. The applicant was found transporting 72 liters of illicit liquor on his motorcycle.



He is having one similar antecedent, the care of which can be taken by imposing stringent condition. Therefore, the order:-

i. The application is allowed.

ii. The applicant/accused in Crime No. 238 of 2021 registered with Sikti Police Station be released on bail on executing P.R. bond of Rs.20,000/- (Rupees Twenty Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.



The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

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