

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4880 of 2022

Arising Out of PS. Case No.-364 Year-2021 Thana- RIGA District- Sitamarhi

NIKHIL RAJ S/O SUDHIR KUMAR R/o village- Jagdishpur, P.S.- Tariyani,
District- Sheohar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 10-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 02.11.2021, seeks
regular bail in connection with Riga P.S. Case No. 364 of 2021
registered for offences punishable under Section 414 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

Allegation is of recovery of 79.500 litres of illicit
foreign liquor.

Learned counsel appearing on behalf of the petitioner
submits that nothing has been recovered from the conscious
possession of the petitioner nor the tempo or the motorcycle



belongs to him. Petitioner is in custody since 02.11.2021 and has clean antecedent.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case as well as the period of custody of the petitioner and petitioner having no criminal antecedent, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 100,000/- (Rupees One Lac) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi in connection with Riga P.S. Case No. 364 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) 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.

(iv) If the petitioner is found involved in similar



nature of offence, after his release on bail, the trial Court shall
take steps to cancel his bail bond.

(Purnendu Singh, J)

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