

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37877 of 2022**

Arising Out of PS. Case No.-350 Year-2021 Thana- SIDHWALIYA District- Gopalganj

NIKESH KUMAR @ NIKESH KUMAR SAH Son of Late Nami Sah  
Resident of Village - Amarpura, P.S.- Mohammadpur, District - Gopalganj.  
... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      20-08-2022                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with  
Sidhwaliya P.S. Case No. 350 of 2021 registered for the offence  
under Sections 272, 273, 414, 120(B)/34 of the I.P.C. and under  
Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

The accused/petitioner is named in the F.I.R. and is in  
custody since 06.11.2021.

The allegation against the petitioner is to be engaged  
in illegal trading/manufacturing of illicit liquor, where, there is  
recovery of 80 litres of IMFL/country made liquor from the  
alleged motorcycle.

Learned counsel appearing on behalf of the petitioner  
submitted that the alleged motorcycle from where illicit liquor



was recovered is not connected in any manner with petitioner. It is further submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as alleged motorcycle is not appear to be connected with petitioner from where recovery of illicit liquor was made coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sidhwaliya P.S. Case No. 350 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Gopalganj/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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