

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53346 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- MORKAHI District- Khagaria

Nitish Kumar Son Of Jagadambi Sah Resident Of Village - Leba, P.S.-
Maheshkhunt, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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

2 22-04-2022 The applicant is accused in Crime No. 83 of 2021 registered with Morkahi 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.

On 15.07.2021, the Tempo driven by the applicant was inspected by the police and was found to be containing around 58 liters of illicit liquor.

Investigation of the subject crime is over. The applicant is behind bars from July 2021. He is reportedly not having any criminal antecedent. Hence, his further pretrial



detention is not warranted. Therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 83 of 2021 registered with Morkahi Police Station be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten 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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