

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4997 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- KHARIK District- Bhagalpur

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Nigam Kumar @ Nigam Choudhary Son of Hari Shankar Choudhary @ Hari Choudhary, R/o Village- Kathela, P.O.- Kharik Bazar, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-03-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Kharik P.S. Case No. 127 of 2022, lodged under Sections 37(b)
(c)/45 of Bihar Excise and Prohibition Act, 2018.

As per prosecution case, the petitioner was found in
drunken state.

Learned counsel for the petitioner submits that
petitioner is in custody since 24.05.2022. He further submits
that the antecedent of petitioner is not clean and there are 3
criminal cases pending against, in which, he is on bail in all the



cases.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Judge, Ist, Bhagalpur in connection with Kharik P.S. Case No. 127 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of



this condition shall be resulted into cancellation of his present
bail bond.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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