

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51201 of 2023

Arising Out of PS. Case No.-419 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Nitish Kumar Son Of Anil Ram Resident Of Village -TELIYA Pokhar,
Gaushala Road, Ward No 22, Ps -TOWN (RATANPUR Op), District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Town (Ratanpur) P.S. Case No. 419 of 2023 for the offence punishable under Section 30(a), 32(ii) of Bihar Prohibition and Excise Act lodged on 1.7.2023 by the informant, Ajay Kumar.

As per the prosecution story, two persons were intercepted who were carrying bags and recovered/seized 102.99 Indian Made Foreign Liquor. Accordingly, the FIR.

It is the case of learned counsel for the petitioner that he is a student, nothing to do with the seized liquor.

Learned APP opposes the prayer.

Considering the fact that he is a young boy of 21



years, having criminal antecedent, FIR lodged and ultimately will have to face the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Begusarai, in connection with Town (Ratanpur) P.S. Case No. 419 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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