

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42819 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- TAJPUR District- Samastipur

Sikin Kumar @ Sikandar Kumar @ Sikandar @ Sakindar Kumar Son of
Bhuneshar Singh @ Bhuneshar Mahto R/O Vill.- Nikaspur, P.S.- Tajpur,
Dist.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate
For the Opposite Party/s : Mr.Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Tajpur P.S. case No.
121 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 1.8 liters
liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to village politics. No incriminating material
has been recovered from the conscious possession of the
petitioner. The petitioner has got no concern with the alleged
recovery of liquor. It is further submitted that the name of the



petitioner has been implicated in this case merely on the basis of confessional statement of co-accused Raju Kumar. The motorcycle in question does not belong to the petitioner. The petitioner is in custody since 10.05.2024 and has got four criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tajpur P.S. case No. 121 of 2024 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.



(III) The petitioner will not hamper the trial or temper with any prosecution evidence. If he is found involved in such incidence, the prosecution shall have liberty to take steps for cancellation of bail granted to the petitioner.

(Rudra Prakash Mishra, J)

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