

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29984 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- KAJRA District- Lakhisarai

AJIT KUMAR @ AJIT KUMAR AZAD S/O KEDAR SINGH RESIDENT
OF VILLAGE- ARMA, PS- KAJRA, DISTT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Kajra
P.S. Case No. 40 of 2023 registered for the offences punishable
under Section 37 of Bihar Prohibition and Excise (Amendment)
Act, 2022.

As per prosecution case, petitioner was
apprehended in drunken condition and after medical
examination it was confirmed that petitioner consumed alcohol.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence and he has
falsely been implicated in this case. Petitioner is in custody



since 21.03.2023 and bears criminal antecedent of one case of similar nature.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, **after framing of charge** 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 Sessions Judge-V-cum Exclusive Special Court-2 (Excise Act), Lakhisarai in connection with Kajra P.S. Case No. 40 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or



the witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

(Alok Kumar Pandey, J)

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