

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35411 of 2023

Arising Out of PS. Case No.-127 Year-2023 Thana- LAKHISARAI District- Lakhisarai

PANKAJ KUMAR @ PANKAJ SINGH S/O LATE SAKALDEV SINGH
R/O Ramgarh, P.S.-Ramgarh Chowk, Dist.-Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Raj

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-06-2023 Heard the parties.

The petitioner seeks bail in connection with Lakhisarai Ramgarh Chowk P.S. Case No. 127/2023 registered for the offences punishable under Section 37 of the Bihar Prohibition and Excise (Amendment) Act.

As per prosecution case, petitioner is alleged to be found in drunken condition and apprehended on the spot.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner is languishing in custody since 22.02.2023 and bears criminal antecedent of one case of similar nature in which he is on bail.

The learned A.P.P. for the State vehemently opposed 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IV cum Special Judge, Excise-I, Lakhisarai in connection with Lakhisarai Ramgarh Chowk P.S. Case No. 127/2023, 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)

amitkumar/-

U		T	
---	--	---	--

