

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36863 of 2023

Arising Out of PS. Case No.-419 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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BABLU YADAV @ BABULAL YADAV SON OF LATE GORELAL
YADAV RESIDENT OF VILLAGE - ENGLISH MOHALLA, WARD NO.
05, PS- LAKHISARAI, DISTT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

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

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Excise
P.S. Case No. 419 C2/2023 registered for the offences
punishable under Section 37 of the Bihar Prohibition and Excise
Amendment Act.

As per prosecution case, petitioner was found in
drunken condition and apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 23.04.2023. Petitioner bears one
criminal antecedent which is similar to the present case in which
he is on bail. He further submits that petitioner is quiet innocent
and has falsely been implicated in this case. Nothing has been



recovered from the conscious possession of the petitioner.

The learned A.P.P. for the State vehemently 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 II Excise Act, Lakhisarai in connection with Excise P.S. Case No. 419 C2/2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife of 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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