

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52094 of 2023

Arising Out of PS. Case No.-436 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Sushil Yadav, Son of Bhajjan Yadav Resident of Village-Gidha, P.S.-Halsi,
District-Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Excise P.S. Case No.436C2/2023 instituted under Section 37 of the Bihar Prohibition and Excise Amendment Act lodged on 25.04.2023 by the informant Vikash Kumar.

As per the prosecution story, the petitioner was found in an inebriated condition and the breath analyzer test found the same positive. Accordingly, the FIR and arrest.

Learned counsel for the petitioner submits that he has already suffered by being in custody since 26.04.2023 (para-15 of the petition).

Learned APP opposes the prayer for bail.

Considering the fact of the case, the period of his custody, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing



bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Excise P.S. Case No.436C2/2023 to the satisfaction of learned A.D.J., V Cum Exclusive Special Court-2, Excise Act, Lakhisarai, subject to 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 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;

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

(Rajiv Roy, J)

Prakash Narayan

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