

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50966 of 2023

Arising Out of PS. Case No.-593 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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Arun Kumar Rajak Son Of Suresh Prasad Rajak @ Suresh Rajak R/O-Purani
Bazar, Chitranjan Road, P.S.-LAKHISARAI, Distt.-LAKHISARAI

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Narsingh Tanti, Advocate
For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Excise P.S. Case No. 593 C2 of 2023 for the offence punishable under Section 37 of Bihar Prohibition and Excise Amendment Act, 2022 lodged on 12.6.2023 by the informant, Guddu Kumar.

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

Learned counsel for the petitioner submits that he already suffered by being in custody since 20.6.2023 (para-1 of the petition).

Learned APP opposes the prayer.



Considering the kind of allegation that has come against him, he has remained in custody since 20.6.2023, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J.-V-cum-Exclusive Special Court-2 Excise Act, Lakhisarai in connection with Excise P.S. Case No. 593C2 of 2023 subject to the 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

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

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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