

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53816 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- KIUL District- Lakhisarai

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BHIM YADAV @ BHEEM YADAV son of Dwarik Yadav @ Dwarika Yadav
Village- Khagaur Ps- Kiul Dist- Lakhisarai Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2023 Heard Mr. Sanjeev Kumar, learned Counsel for the

petitioner and learned APP for the State.

The petitioner is an accused in connection with Kiul P.S. Case No. 48 of 2023 registered for the offences under section 37 of the Bihar Prohibition and Excise Act lodged on 02.05.2023 by the informant, Bindeshwar Paswan.

In the present case, the petitioner was found to be in drunken condition and the breathe analyzer found it positive. Accordingly, the FIR/arrest.

Considering the fact that he has remained in custody since 03.05.2023 (as stated in paragraph 9 of the bail application), FIR lodged and will be facing the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Additional Sessions Judge-V-cum-Exclusive Special Court -II,



Excise Act, Lakhisarai in connection with Kiul P.S. Case No. 48 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/her 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 his 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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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