

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55853 of 2023

Arising Out of PS. Case No.-666 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

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1. MD SARFARAZ ALAM S/O MD. ISLAM R/O VILLAGE- GADHI BISHUNPUR, PS. LAKHI SARAI, DIST. LAKHISARAI
 2. IMTIYAZ S/O MD. HAIDAR R/O VILLAGE- CHOTI DHARGAH PURANI BAZAR LOHARPATTI, PS. LAKHI SARAI, DIST. LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shaukat Alam, Advocate
For the Opposite Party/s : Mr.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are in judicial custody in connection with Lakhisarai Excise P.S. Case No. 666C2/2023 registered under Sections 37 of the Bihar Prohibition and Amendment Act, 2022 lodged on 23.07.2023 by the informant, Ravi Sinha.

As per the prosecution story, the petitioner was caught in a drunken condition and during breath analyzer test found positive, he was taken into custody (as stated in paragraph- 23.07.2023 of the petition).

Learned APP for the State opposes the prayer for bail.



Considering the aforesaid facts as also he remained in custody since 23.07.2023, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge -V cum Exclusive Special Court NO. 2, Excise Court, Lakhisarai connection with Lakhisarai Excise P.S. Case No. 666C2/2023 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/her *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 appear before the concerned police station every fortnight for next six months to mark 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 his 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 the bail bonds.

(Rajiv Roy, J)

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