

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84286 of 2023

Arising Out of PS. Case No.-888 Year-2023 Thana- Excise P.S. District- Lakhisarai

PRAMOD PASWAN S/O RAJENDRA PASWAN R/O VILLAGE- SANTAR
MOHALLA, WARD NO. 13, P.S- LAKHISARAI, DISTT.- LAKHISARAI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Excise P.S. Case No. 888 C2 of 2023 registered for the
offences punishable under Section 37 of the Bihar Prohibition
and Excise Amendment Act, 2022.

3. As per prosecution case, on the basis of breath
analysis test, appellant is said to have consumed alcohol.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 05.11.2023 and bears criminal
antecedent of one case in which he is on bail. Petitioner is
quite innocent and has committed no offence as alleged
against him in F.I.R. and he has falsely been implicated in the



present case on account of ulterior motive. No incriminating article has been recovered from conscious possession of the petitioner.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. 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, 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 No. 2, Excise Act, Lakhisarai in connection with Excise P.S. Case No. 888 C2 of 2023, subject to following conditions:-

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