

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1016 of 2024

Arising Out of PS. Case No.-834 Year-2023 Thana- Excise P.S. District- Lakhisarai

Shrawan Ram @ Sharvan Ram S/O LATE VISHUNDEV RAM MOHALLA-
OJHWA POKHAR, PS. KABAIYA, DIST. LAKHISARAI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 25-01-2024 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. 834 C² /2023 registered for the offences
punishable under Section 37 of the Bihar Prohibition and Excise
Amendment Act.

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

4. Learned counsel for the petitioner submits
petitioner is quite innocent and has falsely been implicated in
the present case merely on suspicion. Except suspicion, there is
nothing on record to demonstrate the complicity of the
petitioner with the alleged occurrence. No incriminating article
has been recovered from the possession of the petitioner.



Petitioner is in custody since 14.10.2023 and bears criminal antecedent of one case in which he is on bail. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

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 – II, Excise Act, Lakhisarai in connection with Excise P.S. Case No. 834 C²/2023, 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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