

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17107 of 2022**

Arising Out of PS. Case No.-385 Year-2021 Thana- NAWADA District- Nawada

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KOUSHAL YADAV Son of Sharwan Yadav Resident of village - Khemchand
Bigha, P.S.- Nawada, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Pushpa Sinha.1

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 15-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 33, 34 and 36 of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner is in custody since 24.12.2021, charge-sheet has been
submitted and has antecedent of 19 cases under the Excise Act.

Learned counsel for the petitioner submits that wife of
the deceased informed the informant that his son is unwell,
accordingly, he was taken to the hospital for treatment and was
referred to the PMCH. Thereafter, the son of the informant died
on 01.04.2021 during course of treatment at PMCH. Thus, the



informant alleges that he is completely unaware where his son consumed liquor.

Learned counsel for the petitioner submits that the FIR is against unknown and the petitioner came to be implicated in the present case because of his criminal antecedent. Learned counsel further submits that even the informant was unaware that where his son had consumed liquor.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 24.12.2021, charge-sheet has been submitted and was not arrested from the spot and the allegation hinges around suspicion, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nawada (Nagar) P.S. Case No. 385 of 2021, subject to the condition that one of the bailors shall be the father (Sharwan Yadav) of the petitioner.

(Satyavrat Verma, J)

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