

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13889 of 2023

Arising Out of PS. Case No.-387 Year-2021 Thana- NAWADA District- Nawada

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LAKSHMAN YADAV @ LAKSHMAN KUMAR, aged about 26 years,
Male, S/O RAJO YADAV @ RAJENDRA PRASAD Resident of Village-
Nehaluchak, P.S. and District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, App

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 05-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Nawada (Town) P.S. Case No. 387 of 2021 dated 03.04.2021
registered for the offence(s) punishable under Section(s) 33, 34
and 36 of the Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned
counsel for the petitioner are that though the instant matter
relates to the recovery of six pouches, each of them containing
200 ml. of illicit liquor but the said recovery is stated to have
been made from a barren land near the house of one, namely
Ramswaroop Yadav and the petitioner had no connection with
the alleged place of recovery and he is not named in the FIR and



his name came into light in the confessional statement of co-accused and he was remanded in this case from other P.S. case. Further submissions are that though against the petitioner, there are criminal antecedents of ten cases but he has got bail in all the said cases and in the present matter he has been languishing in jail since 11.10.2022 and against him the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the facts that the alleged recovery of wine is stated to have been made from a barren land situated near the house of one, namely Ramswaroop Yadav, who is a resident of village, Gonda and the petitioner is not stated to have been arrested at the time of recovery of the alleged wine and he is a resident of another village and his name came into light in the statement of a co-accused person and also taking into account the completion of investigation against the petitioner and his custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Nawada (Town) P.S. Case No. 387 of 2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand)



with two sureties of the like amount each to the satisfaction of
the Court concerned.

(Shailendra Singh, J)

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