

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11777 of 2023

Arising Out of PS. Case No.-383 Year-2021 Thana- NAWADA District- Nawada

PAPPU YADAV S/O LATE RAMBALAK YADAV Resident of Village-
Gondapur, P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 33, 34 and 36 of the Excise Act.

As per prosecution case, the informant purchased one pouch of liquor from one unknown person and after drinking the same, he became ill and loss his eye sight.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case due to dirty village politics. The petitioner is not named in the F.I.R. and his name has been transpired during investigation on the basis of confessional statement of co-accused Arvind Yadav which has got no evidentiary value in the



eye of law. Nothing has been recovered from the conscious possession of the petitioner Similarly situated co-accused namely Lakshman Yadav @ Lakshman Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 22.05.2023 passed in Cr. Misc. No. 31990 of 2023. Petitioner is languishing in judicial custody since 07.04.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Nawada (Town) P.S. Case No. 383 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge 1st, Nawada.

(Sunil Kumar Panwar, J)

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