

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27121 of 2023

Arising Out of PS. Case No.-403 Year-2021 Thana- NAWADA District- Nawada

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Pramod Yadav Son of Late Ramdeo Yadav R/V- Gondapur, PS- Nawada,
Dist- 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.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-07-2023 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 30(a)(b)(d) of the Excise Act.

The prosecution relate to recovery of 400 ml of country made liquor, 15 liters of spirit and packing machine.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. The petitioner is not named in the F.I.R. He has falsely been implicated in the present case only on the basis of confessional statement of apprehended co-accused Arvind Yadav, which has no evidentiary value in the eye of law. The petitioner was not apprehended on the spot. Neither anything has been recovered from the conscious possession of the petitioner nor he has



concern with the alleged recovery. The other co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 30.05.2022 and 23.08.2022 passed in Cr. Misc. No.72533 of 2021 and 40559 of 2022 respectively. The petitioner is languishing in judicial custody since 06.07.2022.

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 Nagar P.S. Case No. 403 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-Ist, Nawada.

(Sunil Kumar Panwar, J)

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