

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34307 of 2023

Arising Out of PS. Case No.-681 Year-2021 Thana- NAWADA District- Nawada

UTPAL KANT @ BABLU KUMAR @ BABLU @ TERE NAAM son of
Sugan Prasad @ Sugan Yadav Resident of Village- Gondapur, P.S. Nawada,
Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Bishweshwar Ram

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Nawada Town P.S. Case No.
681 of 2021 dated 01.07.2021 registered for the offences
punishable u/s 33, 34 and 36 of the Bihar Prohibition and Excise
Act.

As per the prosecution case, the husband of the
informant died due to consumption of spurious liquor. It is
further alleged that he has purchased the said liquor from some



unknown person.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused persons have already been granted bail by the Co-ordinate Bench *vide* order dated 17.05.2023 passed in Cr. Misc. No. 7732 of 2023. The petitioner is accused in 19 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 10.10.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Nawada Town P.S. Case No. 681 of 2021, with the conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

2. If the petitioner is found involved in similar nature



of offence in future, his bail bonds is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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