

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34865 of 2023**

Arising Out of PS. Case No.-378 Year-2021 Thana- NAWADA District- Nawada

KAUSHAL YADAV Son of Shrawan Yaddav Resident of village -  
Khemchand Bigha, P.S. - Nawada, Distt. - 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.Sanjay Kumar Singh

**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  
378 of 2021 dated 02.04.2021 registered for the offences  
punishable u/s 33, 34, 36 of the Excise Act, 2016.

As per the prosecution case, one Gopal Kumar died  
due to consumption of spurious liquor which was purchased by  
some unknown persons.

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 petitioner is not named in the F.I.R. and his name has transpired in the confessional statement of Arbind Yadav. The petitioner is accused in 22 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 18.01.2023.

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 Exclusive Special Excise Judge Ist Nawada in connection with Nawada (Town) P.S. Case No 378 of 2021 with the following 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, the prosecution will be at liberty to move  
for cancellation of his bail bonds.

The application stands allowed.

**(Chandra Prakash Singh, J)**

Ajay Singh/  
Kaushik

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