

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34864 of 2023

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

BIPIN YADAV @ BIPIN KUMAR @ KAMLESH KUMAR SON OF ISHO
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.Khurshid Anwar

**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 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's case, the informant's brother died due to consumption of spurious liquor. The person namely Gopal Kumar is said to have purchased the illicit liquor from unknown persons.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R and his name has transpired in the confessional statement of the co-accused Arvind Yadav. The petitioner is accused in 23 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 bond 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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