

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34347 of 2023

Arising Out of PS. Case No.-375 Year-2021 Thana- NAWADA District- Nawada

KAUSHAL YADAV, Son of Shrawan Yadav, Resident of Village- Khemchand Bigha, P.S.- Nawada, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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 (Nagar) P.S. Case No. 375 of 2021 dated 02.04.2021 registered for the offences punishable u/s 33, 34 and 36 of the Bihar Prohibition and Excise Act.

As per the prosecution case, during the course of investigation, the statement of witnesses were recorded which showed that the deceased (Dharmendra Singh) died due to



consuming spurious liquor that was purchased from unknown person.

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. The name of the petitioner has sprung up in the confessional statement of the co-accused Arbind Yadav. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is also accused in 22 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 30.11.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of 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 Nawad Nagar P.S. Case No. 375 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, his bail bond 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 bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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