

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34296 of 2023

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

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BIPIN YADAV @ BIPIN KUMAR YADAV @ BIPIN KUMAR @
KAMLESH KUMAR S/O ISHO YADAV R/O Village-Gondapur, P.S.-
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.Ajay Kumar Jha

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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 under Sections 33, 34 and 36 of the Bihar Prohibition and Excise Act.

As per the prosecution case, the informant's brother Dharmendra Singh died due to consumption of spurious liquor. It is further alleged that he has purchased the said liquor from



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 FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused. The petitioner is accused in 22 other criminal cases and he is on bail in 10 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 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 Nagar P.S. Case No. 375 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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