

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38974 of 2023

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

Lakshman Yadav @ Lakshman Kumar Son Of Rajo Yadav @ Rajendra
Prasad R/O Village Nehaluchak, P.S. Nawada, District Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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

ORAL ORDER

2 05-07-2023 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. 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, one Dharmendra Singh died due to consuming spurious liquor that was purchased from unknown miscreants.



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 during the course of investigation. The petitioner is accused in 18 other criminal cases which are related to similar nature of offence and out of which he is on bail in 12 other cases as stated in para 3 of the bail petition. The petitioner is in custody since 07.04.2022.

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. 375 of 2021, with the conditions :-

1. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.
2. 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 are liable to be cancelled.

3. If the petitioner is found involved in similar nature of offence in future, the prosecution will have liberty to move for cancellation of his bail bonds.

The application stands allowed.

(Chandra Prakash Singh, J)

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