

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46432 of 2023

Arising Out of PS. Case No.-679 Year-2021 Thana- NAWADA District- Nawada

Bipin Kumar @ Kamlesh Kumar @ Bipin Yadav @ Bipin Prasad S/O Isho
Yadav Resident Of Village-Gondapur, P.S.-Nawada, District-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 03-08-2023 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.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Nawada (Town) P.S. Case No. 679 of 2021 dated 01.07.2021 registered for the offences punishable u/ss 33, 34 and 36 of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, one Ramdev Prasad Yadav died due to consumption of spurious liquor which was purchased from some unknown persons.



5. 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 FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Arvind Yadav. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has 20 other criminal cases of similar nature as stated in para 3 of the bail petition. The petitioner is in custody since 23.05.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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. 679 of 2021, with conditions:-

(i). 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 cancelled.

(ii). 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.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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