

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52824 of 2023

Arising Out of PS. Case No.-680 Year-2021 Thana- NAWADA District- Nawada

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Lakshman Yadav @ Lakshman Kumar @ Rajendra Prasad @ Laxman Yadav
Son Of Rajo Yadav @ Rajendra Prasad Resident Of Village - Nehaluchak,
P.S. And Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 33, 34 and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case in brief is that a U.D. case was registered and during investigation, it was found that father of the informant died due to consumption of adulterated wine and later on FIR has been registered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis



of confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated other co-accused persons have already been granted bail by this Court vide order dated 11.08.2023. in Cr. Misc Nos. 49154 of 2023 and 50091 of 2023. Moreover, the petitioner is languishing in judicial custody since 19.01.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nawada Town P.S. Case No. 680 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1st, Nawada.

(Sunil Kumar Panwar, J)

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