

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55517 of 2023

Arising Out of PS. Case No.-602 Year-2020 Thana- NAWADA District- Nawada

KAUSHAL YADAV SON OF SHRAWAN YADDAV RESIDENT OF
VILLAGE - KHEMCHAND BIGHA, P.S. - NAWADA, DISTRICT -
NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a), 30(d), 30(G), 33,
41 and 52 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
5000 liters of spirit from a Truck.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR. The
name of the petitioner has come into light on the basis of
confessional statement of other co-accused. He submitted that
the petitioner has no concern either with the seized vehicle or



with the spirit in question. He submitted that one co-accused namely, Arbind Yadav, who is the owner of the said truck and on his confessional statement the name of the petitioner has come into light has already been granted bail by a Co-ordinate Bench vide order dated 16.05.2022 passed in Cr. Misc. No. 58962 of 2021 and its analogous case. He is languishing in judicial custody since 22.12.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Nawada P.S. Case No. 602 of 2020.

(Sunil Kumar Panwar, J)

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