

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54703 of 2023

Arising Out of PS. Case No.-740 Year-2021 Thana- NAWADA District- Nawada

Bipin Kumar @ Kamlesh Kumar @ Bipin Yadav Son Of Isho Yadav Resident
Of Village Gondapur Ps Nawada Dist Nawada

The State Of Bihar

Versus

... .. Petitioner/S

... .. 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 29-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

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

As per prosecution case, the brother of the
informant and maternal uncle celebrated Holi, in the
evening, maternal uncle and when his brother returned after



cremation and having taken meal started vomiting and died, thereafter U.D. case has been registered and converted into FIR.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of other co-accused, which has got no evidentiary value in the eyes of law. The petitioner is not named in the FIR and the same has been lodged against unknown persons. Nothing incriminating article has been recovered from his conscious possession. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 28.08.2023 passed in Cr. Misc. No. 54503 of 2023. He is languishing in judicial custody since 24.05.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody, 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 P.S. Case No. 740 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 Court below.

(Sunil Kumar Panwar, J)

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