

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12269 of 2024

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

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Pramod Yadav Son of Late Ramdev Yadav Resident of Village- Gondapur,
P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manmohan Kumar

For the Opposite Party/s : Mr.Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Nawada (Nagar) P.S Case No. 679 of 2021
registered for the offences punishable under Sections
33, 34, 36 of Bihar Prohibition and Excise Act, 2016.

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

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case. It
is further submitted that no incriminating article has



been recovered from the conscious possession of the petitioner. Petitioner is not named in FIR whereas petitioner's name transpired on confessional statement of the co-accused. One of the co-accused has been granted bail by the Co-ordinate Bench of this Court *vide* order dated 03.08.2023 passed in Cr. Misc. No. 46432 of 2023. It is also submitted that petitioner is in judicial custody since 07.01.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail ***after framing of the charge*** on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, 1st, Nawada in connection with Nawada (Nagar) P.S Case No. 679 of 2021.



7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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