

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14053 of 2024

Arising Out of PS. Case No.-374 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

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manmohan Kumar

For the Opposite Party/s : Mr.Pronoti Singh

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 28-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Nawada (Nagar) P.S. Case No.374 of 2021 registered for the
offence under Sections 33, 34 and 36 of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, the informant's
father died after consuming spurious liquor which was
purchased from unknown miscreants including this petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, the petitioner is not
named in the FIR and his name surfaced on the basis of



confessional statement of other co-accused person, namely, Arvind Yadav. It is submitted that nothing incriminating recovered from the possession of the petitioner, during course of investigation, which may connect him with the present set of occurrence. It is also submitted that other similarly situated co-accused persons have already been granted bail by different learned co-ordinate Benches of this Court through Cr. Misc. No. 53398 of 2023 on 25.08.2023, Cr. Misc. No.55108 of 2023 on 29.08.2023, Cr. Misc. No.55958 of 2023 on 31.08.2023, Cr. Misc. No.57743 of 2023 on 01.09.2023. It is further submitted that petitioner is in custody since 05.01.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Nawada (Nagar) P.S. Case No.374 of 2021 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge 1st, Nawada.

7. The trial court is directed to conclude the



proceeding of framing of charge according to law within a period of 15 (fifteen) 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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to 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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