

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62137 of 2024**

Arising Out of PS. Case No.-384 Year-2021 Thana- NAWADA District- Nawada

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Pramod Yadav S/o 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, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-11-2024 Heard Learned Counsel for the petitioner and Learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nawada (Nagar) P.S. Case No. 384 of 2021 dated 03.04.2021,
lodged under Sections 33, 34, 36 and 44 of the Bihar Prohibition
and Excise Act, 2016 pending before the Court of Exclusive
Special Excise Judge 1st, Nawada.

3. As per the prosecution, FIR has been lodged against
3 named accused persons other than the present petitioner. The
allegation of selling spurious wine is the subject matter of the
present case.

4. Learned Counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel



submits that petitioner is not named in the FIR and his name has been figured in this case only by virtue of the confessional statement of co-accused. Counsel further submits that the criminal antecedent of the petitioner is not clean as there are 19 cases pending against him. Counsel submits that the petitioner is in custody since 05.04.2021 but, remanded in judicial custody in this case since 28.03.2022. Counsel further submits that in one case his name has come and thereafter, police has started remanding him in other cases also. Counsel submits that other co-accused persons have been granted bail by the Co-ordinate Bench of this Court as well as by this Court also which is annexed as Annexure-P/2 series of the bail application.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that allegation of selling spurious wine by co-accused Manti Devi is there in the FIR and death has also been caused to the person who has consumed the said spurious wine.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected at present with liberty granted to the petitioner to renew his prayer for bail one year from today.



7. Trial Court is directed to expedite the trial at the
earliest.

(Dr. Anshuman, J)

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