

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71274 of 2023

Arising Out of PS. Case No.-377 Year-2021 Thana- NAWADA District- Nawada

BIPIN KUMAR @ KAMLESH KUMAR @ BIPIN YADAV S/O ISHO
YADAV VILLAGE- GONDAPUR, PS. NAWADA, DIST. NAWADA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-01-2024 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,
36 of Bihar Prohibition and Excise Act.

As per allegation, informant's husband died due to
consumption of spurious liquor which he had purchased
from unknown persons.

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 co-accused. Neither the petitioner
is named in the FIR nor any incriminating article has been
recovered from his conscious possession. Similarly situated



co-accused has already been granted bail by this Court vide order dated 09.05.2023 passed in Cr. Misc No. 10344 of 2022. It is further submitted that the petitioner is in custody since 05.04.2021 and he was remanded in this case on 07.04.2023 and since then he is languishing in judicial custody.

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 of the petitioner, 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 Nagar P.S. Case No. 377 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 Exclusive Special Excise Judge-Ist, Nawada.

(Sunil Kumar Panwar, J)

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