

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16128 of 2025

Arising Out of PS. Case No.-378 Year-2021 Thana- NAWADA District- Nawada

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Usha Devi W/O Late Sunil Choudhary @ Late Sunil Choudhari Resident of
village- Gondapur, P.S.-Nawada Nagar, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nawada (Nawada Town) P.S. Case No. 378 of 2021 dated for the offences punishable u/ss 33, 34 and 36 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, one Gopal Kumar died due to consumption of spurious liquor which was purchased from some unknown persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the



co-accused, Vidhan Kumar. No incriminating article has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 25.05.2023 passed in Cr. Misc. No. 34864 of 2023. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Nawada (Nawada Town) P.S. Case No. 378 of 2021 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) If the petitioner is found involved in



*similar nature of offence in future, the
prosecution will be at liberty to move for
cancellation of his bail bonds.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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