

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2883 of 2025

Arising Out of PS. Case No.-382 Year-2021 Thana- NAWADA District- Nawada

Arvind Yadav @ Aravinda Yadav S/O Late Chhotan Yadav Resident of
Village- Gondapur, P.S.- Nawada (Nagar), District- Nawada,

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Nawada (Nagar) P.S. Case No. 382 of 2021 instituted for the
offences under Sections 33, 34, 36 of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per prosecution case, the husband of the
Informant has died after consuming spurious liquor. It is alleged
that the Informant, later on, came to know that her husband had
purchased wine from one Manti Devi and, thereafter, her
husband, Deen Dayal Mishra and Akhilesh Mistri consumed the
same. The other two persons are under treatment.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner is not named in the F.I.R. and his name has transpired in this case on the basis of co-accused Manti Devi. Except confessional statement, there is nothing against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has altogether twenty (19) criminal antecedents and is languishing in judicial custody since 07.04.2021 but remanded in judicial custody in this case since 28.03.2022.

5. Learned counsel for the petitioner again submits that several co-accused have been granted regular bail by this Court, which is annexed at Annexure-P/2 series to the bail application.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature and the petitioner has altogether nineteen criminal antecedents.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada (Nagar) P.S. Case No. 382 of 2021, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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