

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36213 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- NAWADA District- Nawada

=====

Kartik Kumar Choudhary @ Kartik Kumar S/O Shiv Chaudhary Resident of
Village- Amipur, P.S.- Muffasil, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-08-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Nawada
P.S. Case No. 385 of 2021 registered for the offence under
Sections 33, 34 and 36 of the Bihar Prohibition and Excise Act,
2018.

The accused/petitioner is not named in the F.I.R. and
is in custody since 24.12.2021.



As per prosecution case, son of the informant died during the course of treatment, after consuming liquor.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is not named in the F.I.R. and his name surfaced in this case only on the basis of suspicion. It is submitted that nothing surfaced/recovered during the course of investigation, which may connect the petitioner with the allegation/occurrence. It is further submitted that from bare perusal of the F.I.R. it appears that there is no direct allegation against the petitioner and he has been implicated in this case only due to his criminal antecedents. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the petitioner is not named in F.I.R.

Considering the facts and circumstances as mentioned above, as nothing surfaced/recovered during the course of investigation, which may connect the petitioner with the allegation/occurrence coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nawada P.S.



Case No. 385 of 2021 on furnishing bail bond of Rs.10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned Excise Special Court-I,
Nawada/concerned court, subject to the conditions as mentioned
under Section 437 (3) of Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

