

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12240 of 2023

Arising Out of PS. Case No.-681 Year-2021 Thana- NAWADA District- Nawada

SUSHANT DHAR Son of Late Sachindra Chandra Dhar Resident of Mohalla
85 Anandghar, Belghariya, North 24 Pargana, District- West Bengal (Kolkata)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Prasad

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 33, 34, 36 of the Bihar
Prohibition and Excise Act.

As per prosecution case, the husband of the informant
namely, Om Prakash Prasad @ Om Prakash Singh@ Tota Singh
died after taking spurious liquor and the same was purchased by
unknown person.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR. The
name of the petitioner has come into light, on the basis of
confessional statement of co-accused and he stated that



petitioner used to sale sticker/Hologram in respect of illegal trading, selling and manufacturing of the liquor, which has got no evidentiary value in the eyes of law. No incriminating article has recovered from the conscious possession of the petitioner. Petitioner is neither manufacturer nor seller/supplier of the liquor. He is languishing in judicial custody since 28.02.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Nawada Town P.S. Case No. 681 of 2021.

(Sunil Kumar Panwar, J)

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