

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39556 of 2023

Arising Out of PS. Case No.-745 Year-2021 Thana- NAWADA District- Nawada

SURAJ CHAUDHARY @ KARKU CHAUDHARY Son of Raju Chaudhary
@ Rajo Chaudhary Resident of Village - Chaudhary Tola, Kharidi Bigha,
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

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per allegation in the FIR, petitioner is said to be indulged in manufacturing and selling of spurious liquor. At the eve of Holi, Shiv Shankar Yadav consumed spurious liquor and died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has falsely been implicated in this case and he has no concern with the liquor trade. The petitioner is not named in FIR rather his name came into light in this case on the basis of



confessional statement of other co-accused Arvind Yadav. Save and except, nothing has come against the petitioner to implicate in this alleged offence. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated other co-accused persons have already been granted bail by this Court vide order dated 11.07.2023 in Cr. Misc. No. 10680 of 2023. Moreover, he is languishing in judicial custody since 26.8.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Town P.S. Case No. 745 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 1st Nawada.

(Sunil Kumar Panwar, J)

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