

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37436 of 2023

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

Tirloki Prasad Son Of Roop Lal Mahto Resident Of Village - Dharhara, P.O. -
Jhurjhuri, P.S. - Barkattha, District - Hazaribagh, Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti
For the Opposite Party/s : Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 22-08-2023 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. He



has falsely been implicated in this case merely on suspicion. It is further submitted that 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 person before the police which has got no evidentiary value in the eye of law. Save and except, nothing has come against the petitioner to implicate in this alleged offence. It is also submitted that 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, the petitioner is languishing in judicial custody since 08.01.2023.

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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