

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37375 of 2023

Arising Out of PS. Case No.-375 Year-2021 Thana- NAWADA District- Nawada

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TIRLOKI PRASAD S/O ROOP LAL MAHTO R/O Village- Dharhara, P.O.
jhurjhuri PS. Barkattha, Dist. Hazaribagh, Jharkhand

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikas Ratan Bharti
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, the police in course of investigation of U.D. Case No. 16 of 2021 dated 01.04.2021 came to know that Dharmendra Singh, brother of the informant died due to consumption of spurious liquor which was purchased from unknown miscreants. Accordingly, the present case was lodged in which the implication of the petitioner came to light.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case due to the local politics and previous criminal antecedents. The F.I.R. is against unknown. The petitioner is not named in the F.I.R. and no consistent material has come against him which shows his complicity in the alleged occurrence. His name has been transpired in the confessional statement of co-accused Sushantdhar before the police which has no evidentiary value in the eye of law. There is no eye witness of the alleged occurrence. Nothing has been recovered from his conscious possession or from his house. The other co-accused person has already been enlarged on bail by another co-ordinate Bench of this Court vide order dated 16.08.2023 passed in Cr. Misc. No. 51361 of 2023. Petitioner is languishing in judicial custody since 08.02.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Exclusive Special Judge-I, Nawada in
connection with Nawada Town P.S. Case No. 375 of 2021.

(Sunil Kumar Panwar, J)

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