

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57743 of 2023

Arising Out of PS. Case No.-374 Year-2021 Thana- NAWADA District- Nawada

Tirloki Prasad Son Of Roop Lal Mahto Resident Of Village Dharhara Po
Jhurjhuri Ps Barkathha District Hazaribagh Jharkhand

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Ratan Bharti

For the Opposite Party/s : Mr.Akshay Lal Pandit

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 prosecution case, informant's father died after consuming spurious liquor which was purchased from unknown miscreants.

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. 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. Nothing has been recovered from the conscious possession of the petitioner and also there is no consistent evidence available to connect the petitioner in this alleged offence. Moreover, he is languishing in judicial custody since 18.01.2023. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 25.08.2023 in Cr. Misc. No. 53398 of 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 P.S. Case No. 374 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)

Shubham/-

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

