

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61180 of 2023

Arising Out of PS. Case No.-383 Year-2021 Thana- NAWADA District- Nawada

Suraj Kumar @ Suraj Chaudhary @ Karku Chaudhary S/O Raju Chaudhary
@ Rajo Chaudhary R/O Village- Kharidi Bigha, Ps. Nawada (NAGAR), Dist.
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.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 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, the informant purchased
one pouch of liquor from one unknown person and after
drinking the same, he became ill and went to hospital for
treatment.

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. 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 his conscious possession. He has no concern with the alleged occurrence. Moreover, he is languishing in judicial custody since 07.04.2022. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 19.07.2023 in Cr. Misc. No. 11777 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 (Nagar) P.S. Case No. 383 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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