

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63504 of 2023

Arising Out of PS. Case No.-602 Year-2020 Thana- NAWADA District- Nawada

Sushant Dhar Son Of Late Sachchidanand Dhar Resident Of Village H N 85
Anand Ghat, Ps Belghariya, Distt - 24 Pargana

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Prasad

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 30(a), 30(d), 30(i), 33,
41 and 52 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of
5000 liters of illegal *spirit* from a truck.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR. The
name of the petitioner has come into light, on the basis of
confessional statement of co-accused Vidhan Kumar, which has
got no evidentiary value in the eyes of law. He submitted that
the petitioner has no concern either with the seized vehicle or



with the *spirit* in question. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 22.12.2022.

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 **after framing of charge, if not framed**. 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 Excise Judge 1st Nawada in connection with Nawada Town P.S. Case No. 602 of 2020.

(Sunil Kumar Panwar, J)

Arish/-

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

