

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61952 of 2023

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

Kartik Chaudhary @ Kartik Kumar Son Of Shiv Choudhary Village- Amipur
Ps- Muffasil Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Suresh Prasad Singh

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.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 33, 34 and 36 of the Bihar Prohibition and Excise Act.

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

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The petitioner is not named in the F.I.R and his name has been transpired in this case on the basis of confessional statement of co-accused Arvind Yadav, which has no evidentiary value in the eye of law.



Nothing has been recovered from the conscious possession of the petitioner. During investigation, save and except confessional statement no consistent material has come against him which shows his complicity. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 29.08.2023 passed in Cr. Misc. No. 55108 of 2023. It is also submitted that petitioner is languishing in judicial custody since 08.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Nawada (Town) P.S. Case No.374 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court Excise Act-I, Nawada.

(Sunil Kumar Panwar, J)

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