

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77224 of 2023

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

Sushant Dhar S/O Sachin Chandra Dhar R/O Village- 85 Anandagar, P.S.
Belthariya, District- North 24 Pragana, West Bengal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per FIR, the informant alleged that one unknown person came and gave him one pouch of country made liquor to him in exchange of toddi. It is further alleged that when the informant consumed that country made liquor he felt unwell and during treatment he lost his eye sight.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is not named in the FIR



rather he has falsely been implicated in this present case merely on the basis of confessional statement of co-accused. The petitioner has no concern with the alleged occurrence and he was also not apprehended on the spot. No any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 02.05.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, 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 Town 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-Ist, Nawada.

(Sunil Kumar Panwar, J)

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