

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71747 of 2023

Arising Out of PS. Case No.-679 Year-2021 Thana- NAWADA District- Nawada

Sushant Dhar S/O Late Sachindra Chandradhar Resident Of Muhalla- 85
Anandghar Belghariya North 24 Pargana, Distt.- West Bengal (KOLKATA).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

7 10-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Nawada Town P.S Case No. 679 of 2021 registered
for the offences punishable under Sections 33, 34, 36 of
Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, one Ramdev Prasad
Yadav died due to consumption of spurious liquor
which was purchased from some unknown persons.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case. It
is further submitted that no incriminating article has



been recovered from the conscious possession of the petitioner. Petitioner is not named in FIR whereas petitioner's name transpired on confessional statement of the co-accused. Petitioner is in custody since 07.01.2023. Similarly situated co-accused persons, namely, Kaushal Yadav, Suraj Kumar, Vidhan Yadav, Utpalkant @ Babloo Kumar and Pramod Yadav have already been granted bail by this Court in Cr. Misc. Nos. 50145 of 2023, 50163 of 2023, 50905 of 2023, 51299 of 2023 and 12269 of 2024 vide orders dated 16.08.2023 and 27.02.2024 respectively.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to



the satisfaction of learned Exclusive Special Judge, 1st,
Nawada in connection with Nawada Town P.S Case No.
679 of 2021.

7. The trial court is directed to conclude the
proceeding of framing of charge according to law within
a period of 15 days from the date of receipt of a copy of
this order. However, it is made clear that *if the charge-
sheet has not been submitted* then the petitioner shall
be released on bail on the above conditions and he shall
be present physically on each and every date before the
trial court till conclusion of the proceeding of framing
of charge.

(Ramesh Chand Malviya, J)

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