

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68629 of 2023

Arising Out of PS. Case No.-740 Year-2021 Thana- NAWADA District- Nawada

Sushant Dhar S/O Late Sachindra Chandradhar R/O Muhalla- 45 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. Sanjay Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Nawada Town P.S. Case No. 740 of 2021, instituted for the offences punishable under Sections 33, 34 and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, brother and maternal uncle of the informant celebrated Holi after consuming spurious liquor. In the evening, maternal uncle of the informant died and when the brother of the informant returned after cremation his uncle and he also started vomiting and died, thereafter, U.D. Case has been registered and converted into FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner is not named in the F.I.R. and name of the petitioner has transpired in this case on the basis of confessional statement of co-accused, namely, Vidham Kumar, which has no evidentiary value. The petitioner has been remanded in this case on 07.01.2023 and has got one criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada Town P.S. Case No. 740 of 2021.

(Rudra Prakash Mishra, J)

Rajorshi/-

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