

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18492 of 2014

Arising Out of PS.Case No. -84 Year- 2012 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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1. Birendra Prasad Son of Dwarika Prasad Resident of Village -
Pachetan, P.S. Asthawan, District - Nalanda

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Sumiran Rai

For the Opposite Party : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 16-01-2015 Petitioner is languishing in custody since
04.04.2014 in a case registered for the offences punishable
under Sections 304/34 of the I.P.C.

It is alleged that husband of the informant
and other family members consumed poisonous country made
liquor from the shop of the petitioner.

It is submitted by learned counsel for the
petitioner that petitioner was not present in the shop nor any
incriminatory articles were recovered to suggest that victim and
others took the liquor from the shop of the petitioner.

The petitioner was granted anticipatory bail
till submission of the viscera report. The viscera report suggests
the presence of Ethyl Alcohol and Methyl Alcohol.

It is submitted by learned counsel for the
petitioner that Ethyl Alcohol is the main intoxicating

ingredient of all alcoholic beverages but increase of percentage of Ethyl Alchohol turns into Methyl Alchohol which is highly poisonous. Moreover other also consumed the same liquor but it only created havoc with the victim.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Nalanda at Bihar Sharif in connection with Ashthawan P.S. Case No. 84 of 2012, Sessions Trial No. 95 of 2014.

(Dinesh Kumar Singh, J)

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