

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50522 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -RAGHUNATHPUR District- SIWAN

1. Luxman Pasi @ Laxuman Chaudhary Son of Ghopu Pasi
2. Surendra Pasi @ Surendra Chaudhary Son of Bal Chandra Pasi, Both
Resident of Village Khajepur, P.S. M.H. Nagar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO

ORAL ORDER

3 30-01-2016 Heard the learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioners, (1) Luxman Pasi @ Laxuman Chaudhary (2)
Surendra Pasi @ Surendra Chaudhary, are in custody since
25.08.2015 in Raghunathpur P.S. Case No.64 of 2015 instituted for
the offence under Sections 323, 307, 302/34 of the Indian Penal Code.

According to the prosecution case, the informant lodged FIR
alleging that he along with three other friends were usually
purchasing country made liquor from the shop of Osihar Singh and
Osihar Singh had told them that he was purchasing the country made
liquor from these two petitioners. On the date of occurrence, the
informant and has three other friends took the country made liquor

and thereafter, the three friends of the informant died because of drinking of the country made liquor. The informant was treated in the hospital.

The learned counsel for the petitioner submitted that there is no direct evidence against the petitioner that in fact the country made liquor which the informant and other three deceased friend of the informant consumed the country made liquor which was purchased from the petitioner by Osihar Singh.

On the other hand, the learned A.P.P. objected the prayer for bail.

Perused the FIR and the order passed by the Court below rejecting the prayer for bail.

In view of the nature of allegation that as Osihar Singh who has also died after consuming the country made liquor had told the informant that he was purchasing country made liquor from these petitioners, I direct that both the petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Raghunathpur P.S. Case No.64 of 2015.

Sanjeev/-

(Mungeshwar Sahoo, J)

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