

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13219 of 2017

Arising Out of PS.Case No. -348 Year- 2016 Thana -GOPALGANJ TOWN District- GOPALGANJ
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1. Rajesh Choudhari @ Rajesh Pasi,
2. Sanoj Choudhari @ Sanoj Pasi,
Both are sons of Late Nandjee Choudhary @ Nandee Pasi, R/o Village-
Khajurbani Ward No.25, P.S.- Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy

For the Opposite Party/s : Mr. Sri Jai Narain Thakur
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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 08-05-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners are languishing in custody for the offences punishable under Sections 328, 304 and 120B/34 of the Indian Penal Code and Section 50 (A), (B) and (C) of the Bihar Excise (Amendment) Act, 2016.

Two cases, for the same occurrence, were lodged. In Gopalganj Town P.S. Case No.347 of 2016 bail was granted to the petitioners, though there was averment of recovery of country made liquor. In the present case, there is no allegation of recovery. Another allegation is that several peoples have died by taking poisonous liquor from the shop of Nagina Pasi. The petitioners are



said to be the criminal associates of Nagina Pasi and they are in custody since 09.09.2016 and 14.09.2016 respectively.

Submission is that similarly situated co-accused Lal Babu Pasi has been allowed regular bail by a coordinate Bench of this Court in Cr.Misc.No.13639 of 2017. Some other co-accused have also been allowed bail by coordinate Benches of this Court.

In the circumstances, let petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj/Successor Court, in connection with Gopalganj Town P.S. Case No.348 of 2016, with condition that petitioners shall fully cooperate with the investigation and trial of the case, failing which the Court below shall be at liberty to take steps for cancellation of the bail bonds of the petitioners in this case.

Arvind/-

(Birendra Kumar, J)

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