

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53077 of 2019

Arising Out of PS. Case No.-100 Year-2012 Thana- DEWARIA District- Muzaffarpur

GANGOTRI KUER @ GANGOTRI KUMAR, aged about 67 years, Male,
Son of Late Rambir Kuer, Resident of Village- Neknampur, P.S.- Deoriya,
District- Muzaffarpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Upendra Kumar Chaubey, Adv.
For the Opposite Party : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Deoriya P.S. Case No. 100 of 2012 for the offences alleged
under Sections 272, 273, 307, 328, 420, 302, 120B and 34 of the
Indian Penal Code.

The accusation is that Binod Rai, brother of the
informant, Surendra Rai, took the pouch of country made liquor
in the evening of 28.09.2012 from gumti of Pankaj Kuer,
situated at village Ekma, and consumed the same, thereafter,
Binod Rai came at his house and started vomiting and the next
date he was being taken to Muzaffarpur for treatment, but, he
died. Further, allegation of the informant is that Mahesh Bhagat
use to sell and consume liquor on purchasing from Ranvijay
Singh.



Learned counsel appearing for the petitioner submits that in fact the petitioner is the son of co-accused, Pankaj Kuer and due to that reason he has been implicated in this case without any overt act. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Deoriya P.S. Case No. 100 of 2012 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, West, Muzaffarpur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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