

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8083 of 2022

Arising Out of PS. Case No.-727 Year-2021 Thana- SARAIYA District- Muzaffarpur

Arvind Bhagat @ Arvind Kumar Son of Ram Prasad Bhagat Resident of
Village- Vishaharpatti, P.S- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Saraiya
P.S. Case No. 727 of 2021 registered for the offence under
Sections 272, 273, 284, 328, 307, 302, 34 and 120(B) of the
Indian Penal Code and Sections 30(a), 30(c) and 30(b) of Bihar
Prohibition and Excise Act, 2016.

The accused/petitioner is named in the F.I.R. and is in
custody since. 31.10.2021.

The allegation against the petitioner is to involve in
manufacturing of illegal liquor, consumption of which caused
death of five persons.

Learned counsel appearing on behalf of the petitioner
submitted that nothing surfaced during the course of



investigation, which may connect the petitioner with alleged illegal manufacturing of liquor/occurrence and the alleged recovery of liquor from the site of party is also not connected with the petitioner in any manner. The nature of allegation is very much general and omnibus. It has further been submitted that the petitioner is a man of clean antecedent and chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances as mentioned above, as the nature of allegation is very much general and omnibus, as regard to manufacturing of alleged illicit liquor coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Saraiya P.S. Case No. 727 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, subject to the following conditions:

“(i) That accused/petitioner shall
not involve in the similar nature of offence



till the conclusion of trial, failing the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Deepak Kumar, who is the brother-in-law of the petitioner and deponent of the present bail petition.”

The physical appearance of I/O of this case is dispensed with.

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

