

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8936 of 2022**

Arising Out of PS. Case No.-165 Year-2021 Thana- LAURIA District- West Champaran

Thag Sah @ Suresh Sah, Son of Late Raghuni Sah Resident of Village -  
Deurwa, P.s.- Lauriya, Distt.- West Champaran (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anuraj Singh, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

4      29-08-2022                      Heard Mr. Anuraj Singh, learned counsel for the  
petitioner and the learned APP for the State.

Let the defect(s) be removed within four weeks of the  
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection  
with Lauriya P.S. Case No.165 of 2021 instituted under Sections  
302,328,307/34 of the Indian Penal Code, 1860 and Section  
30(a), 33, 37(b) of Bihar Prohibition and Excise Act, 2016.

As per the allegation in the FIR, this petitioner along  
with Suresh Sah, Rambriksh Choudhary, Ajay Choudhary,  
Amresh Ram and Bhadar Sah with Suresh Badhai used to sell  
country made liquor.

Further the allegation in the FIR is that on 12.7.2021,  
the informant's brother as also some of the villagers including  
Bikau Ansari, Mumtaz Ansari and Bhagwan Panda had



consumed the country made liquor being sold by the aforesaid accused persons including the petitioner herein. Subsequently, after consuming the said liquor, it is alleged that Bikau Ansari, Bhagwan Panda and the brother of the informant died whereas Mumtaz Ansari became seriously ill and was hospitalized.

Learned counsel for the petitioner submits that only on the basis of the fact that he has similar criminal cases lodged against him, he has been implicated in this case. He further submits that the prosecution version failed to conduct postmortem and as such the cause of death cannot be attributed to consumption of liquor.

Learned APP on the other hand has brought this Court's attention to similar situate other cases namely Ajay Chaudhary and Bhadar Sah @ Rajendra Sah whose bail application has been rejected vide Cr. Misc. No.72413/2021 and Cr. Misc. No.67642/2021.

Taking into account the aforesaid facts, this Court is not inclined to grant the privilege of bail to the petitioner for the present and the same is accordingly dismissed.

Considering the kind of case, the Trial court is directed to expedite the Trial and conclude the same preferably



within a period of one year.

Before parting, this Court would like to put on record its word of appreciation for Mr. Anuraj Singh, learned counsel appearing on behalf of the petitioner for the assistance rendered in the matter.

**(Rajiv Roy, J)**

Prakash Narayan /-

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