

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11085 of 2022**

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

Pradeep Kumar Sharma @ Pradeep Sharma S/o Suresh Sharma Resident of
Village- Deurwa, P.S.- K. Lauriya, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur, Advocate

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 10-08-2022 Heard learned counsel for the petitioner and
learned APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is in custody in connection with
Lauriya P.S. Case No. 165 of 2021 under sections 328, 327, 302
and 34 of the Indian Penal Code and 30(a), 33, 37(b) of Bihar
Prohibition and Excise Act.

The prosecution story, in brief, is that the
informant gave his Fardbeyan before the Lauriya Police Station
alleging that on 12.7.2021, his brother Latif Sah was coming
home after drinking alcohol. He felt pain in stomach and head
and his eyesight started decreasing. The informant took his
brother to the hospital of Dr. Rashid for treatment where in the



course of treatment, his brother died and the dead body was buried in the graveyard of the village. He further alleged that some persons in his village sells raw liquor and due to drinking, his brother and some of the persons died and some of them are being treated in the hospital at Bettiah are serious.

Learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner. He further submits that he is innocent and has been falsely implicated in this case. He lastly submits that he is in custody since 7.11.2021 and has clean antecedent.

The informant has alleged that due to spurious country made liquor sold by the petitioner and other accused persons, altogether three persons died.

Considering the allegation that has come in the FIR of selling and letting the people consum the country made liquor which led to death of three persons as named in the FIR, this Court is not inclined to grant him the privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

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