

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55859 of 2022

Arising Out of PS. Case No.-189 Year-2022 Thana- AMARPUR District- Banka

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Jhantu Kumar Mandal @ Ghantu S/O Prakash Mandal Resident of village-
Hariyari, P.S.- Poraiya Hat, District- Godda, (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Amarpur P.S. Case No. 189 of 2022 lodged under Sections 272,
273, 302, 328, 325/34 of I.P.C. read with Sections 33, 34, 37(B)
of Bihar Prohibition and Excise Amendment Act, 2018.

As per the prosecution case, the allegation against
the present petitioner is that he used to prepare the spurious
wine, on whose consumption, the persons died and due to this
reason, this case has been filed under Section 302 and others.

Learned counsel for the petitioner submits
petitioner has not named in the F.I.R. His name has come in this

case by virtue of the confessional statement. Counsel submits that there is one criminal antecedent of the petitioner in which he is on bail. Counsel submits that petitioner is in custody since 30.07.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that there is a heinous allegation in this case that the petitioner alongwith the named accused used to prepare the spurious wine which caused death of persons.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

However, liberty is hereby granted that petitioner may renew his prayer for bail after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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