

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62564 of 2022

Arising Out of PS. Case No.-522 Year-2022 Thana- MADHAURAH District- Saran

RAVI RANJAN KUMAR Son of Sitaram Manjhi R/v- Dhenuki, P.S.-
Marhaura, District- Saran-841418

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63468 of 2022

Arising Out of PS. Case No.-522 Year-2022 Thana- MADHAURAH District- Saran

LAL @ ATITAB ALAM @ AFTAB ALAM Son of Noorhasan Ansari R/v-
Pojhi Kapoor P.S.- Marhowrah, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 62564 of 2022)

For the Petitioner/s : Mr.Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

(In CRIMINAL MISCELLANEOUS No. 63468 of 2022)

For the Petitioner/s : Mr.Rajani Kumari, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 07-12-2022

(In Cr. Misc. No. 62564 of 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 Marhaura



P.S. Case No. 522 of 2022 registered for the offence under Section 328, 308, 307, 120(B)/34, 304 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 16.08.2022.

The allegation against the petitioner is to be engaged in illegal trading/business of spurious liquor, wherein after consumption three persons died.

Learned counsel appearing on behalf of the petitioner submitted that Petitioner is not named in F.I.R., where his name surfaced on the basis of confessional statement of co-accused, namely, Abhimanyu Kumar, where nothing surfaced during the course of investigation to connect this petitioner, *prima facie*, with present occurrence. It is further submitted that the name of petitioner surfaced only for the reason that he also involved in 5 more similar nature of cases, where he is on bail and in most of the cases his name surfaced on the basis of confessional statement, as of the present case. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.



Considering the facts and circumstances as mentioned above, as save and except suspicion, nothing surfaced during the course of investigation to connect this petitioner with present occurrence coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Marhaura P.S. Case No. 522 of 2022 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, Saran at Chapra/concerned Court, subject to the conditions as mentioned:

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

(ii) That one of the bailors shall be deponent of the present bail petition.”

(In Cr. Misc. No. 63468 of 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 Marhaura P.S. Case No. 522 of 2022 registered for the offence under Section 328, 308, 307, 120(B)/34, 304 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The accused/petitioner is not named in the F.I.R. and is in custody since 04.09.2022.

The allegation against the petitioner is to be engaged in illegal trading/business of spurious liquor, wherein after consumption three persons died.

Learned counsel appearing on behalf of the petitioner submitted that Petitioner is not named in F.I.R., where his name surfaced on the basis of confessional statement of co-accused, namely, Abhimanyu Kumar, where nothing surfaced during the course of investigation to connect this petitioner, *prima facie*, with present occurrence. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned



above, as save and except suspicion, nothing surfaced during the course of investigation to connect this petitioner with present occurrence coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Marhaura P.S. Case No. 522 of 2022 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, Saran at Chapra/concerned Court, subject to the conditions as mentioned:

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

(ii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Archana/-

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

