

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56739 of 2022

Arising Out of PS. Case No.-179 Year-2022 Thana- MAKER District- Saran

Dharmendra Ray Son of Vijay Ray Resident of Sadhpur, P.S.- Garakha,
District- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63342 of 2022

Arising Out of PS. Case No.-179 Year-2022 Thana- MAKER District- Saran

Sujit Kumar Singh @ Sujit Singh Son of Bharat Singh R/V- Jamalki, P.S.-
Parsa, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63497 of 2022

Arising Out of PS. Case No.-179 Year-2022 Thana- MAKER District- Saran

Umesh Bhagat S/o Pawat Bhagat R/o Village- Koreya, P.S- Bheldi, District-
Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64461 of 2022

Arising Out of PS. Case No.-179 Year-2022 Thana- MAKER District- Saran

Sanjay Bhagat Son of Rambaran Bhagat Resident of Village - Koreya, P.S.-
Bheldi, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56739 of 2022)

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

(In CRIMINAL MISCELLANEOUS No. 63342 of 2022)

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 63497 of 2022)

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Gauri Shankar Gupta

(In CRIMINAL MISCELLANEOUS No. 64461 of 2022)

For the Petitioner/s : Mr. Krishna Kumar Singh

For the Opposite Party/s : Ms. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-11-2022 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioners seek bail in connection with Maker
P.S. Case No. 179 of 2022, registered for the offences
punishable under Sections 328, 308, 304, 120 (B), 34 of
the Indian Penal Code and Section 37 (i)(ii) of the Bihar
Prohibition and Excise Act, 2018.

The prosecution case as emerges from the FIR is
that eight persons have died due to consumption of spurious
liquor in the houses of Ramanand Manji, Sandeep Kumar
and Akash Kumar.

The Ld. counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in



this case. He further submits that the name of the petitioner has transpired in the so-called confessional statement before the police which has no value in the eye of Law.

Petitioners, namely, Dharmendra Ray, Sujit Kumar Singh, Umesh Bhagat and Sanjay Bhagat have been languishing in jail since 11.08.2022, 18.08.2022, 17.08.2022, 17.08.2022 respectively.

It is also stated in paragraph no. 2 of the petition that the petitioners have never moved before this Court for grant of either anticipatory bail or regular in the present case.

It has further been stated in paragraph no. 3 of the petition that the petitioners, namely, Dharmendra Ray and Sujit Kumar Singh have no criminal incident whereas petitioners, namely, Umesh Bhagat and Sanjay Bhagat have been made accused in one more case each.

However, the learned APP for the State opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on



bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Exclusive Special Excise Court No.2, Saran, at Chapra in connection with Maker P.S. Case No. 179 of 2022 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedent other



than the disclosed one, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.

The learned counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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