

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10422 of 2023

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

Lal @ Aftab Alam S/O Nurhasan @ Nur Hasan Ansari @ Noor Hasan Ansari
R/O Pojhi Kapoor Bhualpur, P.S.- Marhowrah, Distt- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 328, 308, 304, 120B, 34 of IPC and Section 37 (i)(ii) of Bihar Prohibition and Excise Act.

As per prosecution case, the petitioner along with co-accused persons was engaged in illegal business of liquor and eight persons died due to consumption of poisonous liquor after that this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner is not named in the FIR merely on the basis of suspicion he has falsely been implicated in this case. There



is general and omnibus allegation against the petitioner. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 05.04.2023 passed in Cr. Misc. No. 70888 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 22.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Maker P.S. Case No. 179 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Court, Saran at Chapra.

(Sunil Kumar Panwar, J)

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