

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13288 of 2023

Arising Out of PS. Case No.-583 Year-2022 Thana- MASHRAK District- Saran

ANIL SINGH Son of Lalan Singh R/v- Gopalwari/Gopalwadi, P.S.- Mashrak,
District- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 12-07-2023 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 272, 273, 328, 308, 304, 120(B) of the Indian Penal Code and Sections 30(a), 33, 34 of the Bihar Prohibition and Excise Act.

According to FIR, it is alleged that one person Kunal Kumar died and others were fallen ill due to consumption of spurious liquor. The petitioner is alleged to be indulged in illegal trade of spurious liquor.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case only on the basis of suspicion. From perusal of prosecution as well as case diary, it



appears that the specific overt-act attributed against co-accused Mukesh Kumar from whose possession, five liters illicit spirit has been recovered. Neither the petitioner was involved in the said offence nor any incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 18.12.2022.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mashrak P.S. Case No. 583 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 Additional District and Sessions Judge Xth-cum-Special Judge, Excise, Saran at Chhapra.

(Sunil Kumar Panwar, J)

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