

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27133 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- JURAWANPUR District- Vaishali

SANJAY RAI Son of Bundelal Rai @ Bundey Lal Rai Resident of village-
Bishunpur Said Ali Bhagwan Tola, P.S.-Bidupur, District-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 272, 273, 328, 201, 120(B) of the Indian Penal Code and section 37(b) of the Bihar Prohibition & Excise Act.

3. As per prosecution case, some persons are alleged to have died on account of consumption of spurious liquor and it is claimed that the accused persons have sold the spurious liquor.

4. 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. The petitioner has no concern with the alleged spurious liquor and he never indulged in the trade of spurious



liquor. Nothing has been recovered from conscious possession of the petitioner. Only an empty plastic container has been recovered from co-accused Subodh Rai. Similarly situated several co-accused of this case have already been granted bail by co-ordinate Bench of this court in support of which, Annexure-4 series has been annexed with the petition. It is further submitted that the petitioner is languishing in judicial custody since 13.2.2023.

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

6. 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 Jurawanpur P.S. Case No. 138 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 Exclusive Special Excise Court-2-cum-Additional District & Sessions Judge, Hajipur at Vaishali.

(Sunil Kumar Panwar, J)

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