

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32615 of 2022

Arising Out of PS. Case No.-30 Year-2021 Thana- KATRA District- Muzaffarpur

PRATIK KUMAR @ PRINCE, Son Of Late Anjani Kumar Singh @ Anjani Prasad Singh, R/O Village- Dighara Rampur Sah, P.S.- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Advocate Ms.Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Katra P.S. Case No. 30 of 2021 registered for the offence punishable under Sections 272, 273, 304, 201 and 34 of the Indian Penal Code and Section 34 of the Bihar Prohibition and Excise Act and later on Sections 328 and 302 of the Indian Penal Code were also added.

The prosecution arises out of statement made by the village *Chawkidar* subsequent to death of a couple. The allegation is that they have died because they had consumed spurious liquor.

Learned counsel for the petitioner submits that the allegations have been leveled one day after the death of the couple and after their cremation, based only on suspicion. The suspicion also, has been raised against co-accused Mukesh Singh to be the supplier of illicit liquor. The petitioner has been remanded in this case from Maniyari P.S. Case No. 63 of 2021 on basis of his own confession. In similar manner he has been implicated in various cases including *Cr. Misc. No. 28317 of 2022*, wherein the petitioner has already been allowed bail. Several other accused persons who have been implicated in similar manner have been allowed bail in *Cr.*



Misc. Nos. 35710 of 2021, 36884 of 2021, 37853 of 2021, 38161 of 2021 and 49840 of 2021. The petitioner is in custody in connection with this case since 10.02.2022. There is no cogent material to connect him with the occurrence.

Learned APP for the State has opposed the prayer for bail. It is submitted that the petitioner is accused in other cases also.

Considering the rival submissions, manner of petitioner's implication and the custody, also on consideration of parity, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.I, Muzaffarpur, in connection with Katra P. S. Case No. 30 of 2021, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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