

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59158 of 2023

Arising Out of PS. Case No.-73 Year-2021 Thana- JURAWANPUR District- Vaishali

Amod Rai @ Amod Kumar S/O Suresh Rai R/O Village- Paharpur Purvi, P.S-
Jurawanpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 272, 273, 328, 302/34 of the Indian Penal Code and Section 37(a) of Bihar Prohibition and Excise Act.

As per F.I.R., the allegation against the petitioner is to be involved in business/trading of spurious liquor, whereafter consumption, three persons died and four persons became seriously ill.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. He has no concern with the alleged occurrence. Nothing incriminating article has been recovered from the conscious possession of the petitioner. He



never indulged in dealing with the business of liquor. No consistent material has come against the petitioner which shows his complicity in the present occurrence. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated other accused persons have already been enlarged on bail by another coordinate Bench of this Court vide order dated 20.09.2022 passed in Cr. Misc. No.16708 of 2022 and 32689 of 2022. It is also submitted that petitioner is languishing in judicial custody since 12.07.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Jurawanpur P.S. Case No.73 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II-cum-Additional Sessions Judge, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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