

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64883 of 2022

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

JAGGU RAM @ JAGU KUMAR RAM SON OF BHOLA RAM R/O
BIRPUR, P.S.- JURAWANPUR, DISTT.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 64921 of 2022

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

SANJIT MAHATO @ SANJEET MAHATO S/O JOGENDRA MAHTO R/v-
Wahidpur Baharampur, P.S.- Raghampur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 73622 of 2022

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

1. SUBODH RAM @ SUBODH ROY S/o Ganga Roy R/o Village- Virpur,
P.S.- Jurawanpur, Distt- Vaishali.
2. Bharat Ram S/o Heera Ram R/o Village- Virpur, P.S.- Jurawanpur, Distt-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 64883 of 2022)

For the Petitioner/s : Mr.Ram Binod Singh

For the Opposite Party/s : Mr.Bharat Bhushan

(In CRIMINAL MISCELLANEOUS No. 64921 of 2022)

For the Petitioner/s : Mr.Dhirendra Kumar Sinha

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

(In CRIMINAL MISCELLANEOUS No. 73622 of 2022)

For the Petitioner/s : Mr.Rina Sinha



For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 18-01-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Jurawanpur P.S. Case No. 138 of 2022, registered for the offences punishable under Sections 272, 273, 328, 302, 201 and 120B of Indian Penal Code and Section 37 (B) of the Excise Act.

The prosecution case as emerges from the FIR is that on account of consumption of spurious liquor, some persons have died and it is claimed that accused-persons have sold the spurious liquor.

Ld. counsel for the petitioners submits that the petitioner are innocent and have falsely been implicated in this case. They further submit that nothing has been recovered from the conscious possession of the petitioners. They also submit that the whole case is based only on suspicion. They also submit that no spurious liquor has been recovered from them. Only an empty plastic container has



been recovered from accused Subodh Rai and even that container was not containing any liquor and only smell has been claimed to be coming from this container.

He further submits that the petitioners, namely, Jaggu Ram, Subodh Ram and Sanjit Mahto have been languishing in jail since 29.08.2022, 29.08.2022 and 30.08.2022 respectively.

It has also been stated in paragraph no. 3 of the bail petitions that the petitioners have no criminal antecedents except petitioner, namely, Subodh Ram @ Subodh Ray has earlier been made accused in one other case.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the present case.

However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners,



above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Concerned Trial Court in connection with Jurawanpur P.S. Case No. 138 of 2022 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail



bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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