

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74334 of 2022

Arising Out of PS. Case No.-190 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

ROHAN @ SHATRUDHAN CHAUHAN S/o Late Mahendra Chauhan R/v-
Barhi, Bigha (Badhi Bigha), P.S.- Muffasil, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 13-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 34 and 36 of the Bihar
Prohibition and Excise Act.

As per allegation in the FIR, son of the informant was
lying in drunken condition at the house of the petitioner. With
the help of co-villagers, his wife took him to his house. In the
morning, when the informant tried to wake him up, he did not
wake. Thereafter, he was taken to hospital where doctor
declared him brought dead due to heavy consumption of wine
by him.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. Petitioner has not provided any liquor to the son of the informant rather, the spurious liquor was consumed by himself. There is no allegation of any overt act against the petitioner. He has no intention to kill the son of the informant. He is languishing in judicial custody since 29.07.2022.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that as per FSL report, Ethyl Alcohol was detected which is the chief intoxicating ingredient of all alcoholic beverages..

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1st, Nawada in connection with Muffasil P.S. Case No. 190 of 2021.

(Sunil Kumar Panwar, J)

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