

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70888 of 2022

Arising Out of PS. Case No.-179 Year-2022 Thana- MAKER District- Saran

MUNNA SAH S/o Late Yogendra Sah R/v- Sonho Kisunpur, P.S.- Bheldi,
District- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.
For the Opposite Party/s : Mr. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-04-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Maker P.S. Case No. 179 of 2022 dated 05.08.2022, registered for the offences punishable u/s 328, 308, 304, 120B read with section 34 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, the petitioner and the co-accused persons were engaged in illegal business of liquor and the eight persons died due to consumption of poisonous liquor



in the houses of the co-accused Ramanand Manjhi, Sandeep Kumar and Akash Kumar.

Learned counsel for the petitioner has submitted that the petitioners is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 29.11.2022 passed in Cr. Misc. No. 56739 of 2022. The petitioner is also accused in five other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 23.08.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Maker P.S. Case No. 179 of 2022, with conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

2. If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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