

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70741 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- SALAIYA District- Aurangabad

Pancham Singh, Son of Late Jagranath Singh, Resident of Village- Tetariya,
P.S.- Salaiya, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

In the present case, the petitioner seeks bail in connection with Salaiya P.S. Case No. 37 of 2022 registered for the alleged offences under Sections 272, 273, 304, 34 and 120(B) of the Indian Penal Code.

As per prosecution case, the son of the informant died after allegedly taking spurious liquor. The name of the petitioner transpired during investigation as one of the accused persons who was involved in the manufacturing of this spurious liquor which was consumed by the son of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner has been named in this case on the basis of



information furnished by the informers of the police but the said information is suspect and there is nothing against the petitioner except suspicion. Nothing incriminating has been recovered from the person or possession of this petitioner. Charge sheet has been submitted in this case and the petitioner is in custody since 16.08.2022. Another co-accused Umesh Chaudhary has been granted bail by a Coordinate Bench vide order dated 20.03.2023 passed in Cr. Misc. No. 73287 of 2022.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the absence of any recovery from the petitioner and the material to connect him with the offence as alleged and also considering the submission of charge sheet along with period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Principal Judge-Spl-Court-M.P./M.L.A., Aurangabad in connection with Salaiya P.S. Case No. 37 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following



conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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