

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72350 of 2023

Arising Out of PS. Case No.-427 Year-2023 Thana- HARSIDHI District- East Champaran

PAPPU YADAV SON OF PREM YADAV @ PREMCHANDRA YADAV
RESIDENT OF VILLAGE - DHAWHI, P.S.- HARSIDHI, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Sections 420, 328, 302/34 of the Indian
Penal Code and Section 34 of the Bihar Prohibition and Excise
Act.

As per allegation in the FIR, petitioner has offered
spurious liquor to the husband of the informant due to which he
became ill and during course of treatment, he died.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Informant
is the eye witness of the alleged occurrence. Only on the basis
of suspicion, the name of the petitioner dragged in the present



case. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 19.10.2023 passed in Cr. Misc. No. 66053 of 2023. Petitioner is languishing in judicial custody since 10.7.2023.

The application for bail is opposed by learned APP for the State.

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 Court no. 1, East Champaran, Motihari in connection with Harsidhi P.S. Case No. 427 of 2023.

(Sunil Kumar Panwar, J)

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