

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74069 of 2022

Arising Out of PS. Case No.-522 Year-2022 Thana- MADHAURAH District- Saran

1. URMILA DEVI @ DUGARNI WIFE OF LATE JAYNATH RAM R/O VILL.-BHUWALPUR, P.S.- MARHOWRAH, DISTT.- SARAN
2. BIRU KUMAR SON OF LATE JAYNATH RAM R/O VILL.-BHUWALPUR, P.S.- MARHOWRAH, DISTT.- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

9 18-05-2023 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

The petitioners are seeking regular bail in connection with Marhowrah P.S. Case No. 522 of 2022, registered for the offences punishable under Sections 328, 308, 307, 120(B), 34 and 304 of the Indian Penal code and Section 30(a) of Bihar Prohibition and Excise Act.

As per allegation, in the morning of occurrence, some persons consumed liquor at the shop of the petitioner. Thereafter, they went to their respective work places. In the evening, they felt stomach ache and vomiting. The allegation is that during course of treatment, some of them died. The



petitioner and her family members were selling spurious illicit liquor and after consuming that, those persons had died.

The learned counsel for the petitioners has submitted that petitioner no. 1 is a lady. She has no criminal antecedent and has falsely been implicated in this case. He has submitted further that the FIR shows itself that they consumed liquor in the morning. Thereafter, they went to their respective work places and in the evening, they felt dizziness, stomach ache and vomiting, which shows that it was not the symptoms of consumption of liquor from the shop of the petitioner.

On the other hand, the learned APP has opposed the prayer for bail but fairly conceded that the witnesses in paragraph nos. 9, 11, 20 and 22 have stated that the victims consumed liquor in the morning. Thereafter, they went to their respective work places and thereafter in the evening, the symptoms arose.

Considering the above-mentioned facts and circumstances as well as clean antecedent and period of custody, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned 2nd Exclusive Special Excise Court Saran at Chapra in connection with



Marhowrah P.S. Case No. 522 of 2022, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

U		T	
---	--	---	--

