

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76889 of 2023**

Arising Out of PS. Case No.-466 Year-2023 Thana- TURKAULIYA District- East
Champaran

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KRISHNA SAH Son of Mahant Sah R/o vill - Singha Ujjain Lohiyar, P.S. -
Harsidhi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 304, 308, 328, 201/34
of the Indian Penal Code and Sections 33, 34, 37, 41 of the
Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, is that on 16.04.2023 the
S.H.O., Turkauliya Police Station received information that
some persons have fallen ill in mysterious circumstances under
Turkauliya Jurisdiction and amongst them some died during the
course of their treatment and the dead-bodies were creamated in



haste.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name of the petitioner has come into light, on the basis of confessional statement of co-accused person, due to rivalry. Petitioner has no knowledge and no concern with the alleged recovered articles. Nothing incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 18.09.2023 passed in Cr. Misc. No. 59723 of 2023. He is languishing in judicial custody since 11.05.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 at Motihari in connection with Turkauliya P.S.
Case No. 466 of 2023.

(Sunil Kumar Panwar, J)

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