

11.04.2023
tkm/ct 28
sl no.67

C.R.M. (DB) 1442 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Malipanchghara PS case no. 136 of 2022 dated 20.7.2022 under sections 272/273/302/307/326/328/120B IPC and 46AA of the Bengal Excise Act

And

In Re : Dhaneswar Prusty @ Dhani petitioner

Mr. Debsish Roy
Mr. A Dutta
Mr. A Jena

..... for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. M Gupta

..... for the State

Petitioner submits there is no direct evidence connecting him with the sale and consumption of illicit liquor. He has been implicated on the basis of suspicion. Charge has not yet been framed. He renews his bail prayer.

Learned lawyer for the State opposes the bail prayer. He submits petitioner used to deal in products containing methyl alcohol. There are materials to show that the petitioner had illegally diverted the products to manufacture illicit liquor through co-accused. Consumption of illicit liquor resulted in loss of 12 lives and number of persons became blind. Petitioner has prayed for discharge and date has been fixed for consideration of such prayer.

We have considered the materials on record. Petitioner is a conspirator and supplied methyl alcohol based produces which were used to prepare illicit liquor. Consumption of such deleterious substance caused loss of lives. Accusations are very grave and bail

prayer of the petitioner was rejected earlier. At this stage, similar prayer does not merit reconsideration.

Accordingly, prayer for bail is rejected.

Trial court is requested to consider the prayer of the petitioner along with the issue of consideration of charge and take appropriate decision at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)