

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15773 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- SUGAULI District- East Champaran

Shekh Ekram @ Ekram Miyan Son of Dil Mohammad Resident of Village-
Gharbari Jaysinghpur, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sugauli P.S. Case No. 141 of 2023, instituted for the offences punishable under Sections 304, 308, 328, 201, 34 of the Indian Penal Code, Sections 30(a), 34, 37 and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, some persons have given some spurious material to five persons causing them ill and during the treatment they died.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. No incriminating material has been recovered from the conscious



possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is not named in the F.I.R and name of the petitioner transpired from the confessional statement of co-accused person in another case i.e. Turkauliya P.S. Case No. 466 of 2023 The petitioner has been remanded in this case on 02.12.2023 and has got three criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by Co-ordinate Benches of this Court vide order dated 21.08.2023 passed in Cr. Misc. No. 52884 of 2023, order dated 20.09.2023 passed in Cr. Misc No. 52190 of 2023, order dated 01.11.2023 passed in Cr. Misc No.69026 of 2023 and order dated 08.11.2023 passed in Cr. Misc No. 72042 of 2023. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Sugauli P.S. Case
No. 141 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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