

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68891 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- PAHARPUR District- East Champaran

Rajeshwar Patel, aged about 30 years (M), S/o Rukhi Patel @ Rukhi Raut,
Resident of village- Balua Tharghati, P.S.- Paharpur, District- East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : M/S. Abhishek Kumar and Hemant Ray,
Advocates.

For the Opposite Party : Mr. Anant Kumar 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Paharpur P.S. Case No. 136 of 2023 dated 15.04.2023 registered
for the offences punishable under Sections 304, 308, 328 and
201/34 of the I.P.C. Later on, Sections 30(a), 34, 37 and 41 of
the Bihar Prohibition and Excise (Amendment) Act, 2018 were
also added.

3. As per the prosecution case, on night patrolling, the
police came to inform that some persons have died due to intake
of spurious liquor and in connection with that the name of the
petitioner cropped up in the present case.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has come in the present case during the course of investigation only on the basis of suspicion. Nothing has been recovered from the possession of the petitioner. It is submitted that the other co-accused person, namely, Raju Manjhi, has already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 4399 of 2024 under order dated 13.02.2024, annexed as Annexure-5 to the present bail application. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 30.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Civil Court, East Champaran at Motihari in connection with Paharpur P.S. Case No. 136 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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