

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72457 of 2023

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

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Lalan Yadav Son Of Bir Bahadur Yadav Resident Of Village - Dipau, P.S. -
Kotwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

4 12-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sugauli P.S. Case No. 141 of 2023, registered for the offences
punishable under Sections 304, 308, 328, 201 and 34 of the
Indian Penal Code and subsequently added Sections 30(a), 34,
37 and 41 of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, five persons have
fallen sick after consuming spurious material and later on they



died during the course of treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to his three criminal antecedent. He further submits that the petitioner has committed no offence and he is not named in the FIR and during the investigation as per the confessional statement of co-accused Rajesh Sahni, the allegation is made out against the petitioner that he is the supplier of liquor. He also submits that there is no post-mortem report to suggest that deceased have died due to consumption of spurious liquor. He further submits that similarly situated co-accused, namely, Ajay Yadav @ Ajay Kumar Yadav has already been granted bail by a Co-ordinate Bench of this Court vide order dated 08.11.2023 passed in Cr. Misc. No. 72042 of 2023. He also submits that the petitioner is in jail custody since 27.07.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, 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 learned Exclusive



Special Excise Court No.-1, East Champaran, Motihari or
Concerned Court Below in connection with Sugauli P.S. Case
No. 141 of 2023.

(Sunil Dutta Mishra, J)

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