

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86418 of 2023

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

Ekram Miyan S/O Dil Mohammad R/O Village- Jaisingpur, Gharbari Tola,
P.S- Turkauliya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per allegation in the FIR, petitioner is indulged in manufacture and sale of spurious liquor. It is further alleged that some persons had consumed spurious liquor and thereafter fallen sick and during course of treatment, seven of them died.

3. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has no concern with the manufacturing and trade of



liquor. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench vide order dated 8.11.2023 passed in Cr. Misc. No. 56535 of 2023. Petitioner is languishing in judicial custody since 31.10.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Judge-I, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 466 of 2023.

(Sunil Kumar Panwar, J)

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