

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6997 of 2025

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

Dileep Ram @ Dilip Ram, aged about 30 years, Male, Son of Baidhnath Ram,
Resident of Village- Godhawa, P.S. Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 7394 of 2025

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

Prakash Sah @ Prakash Kumar Sah, aged about 30 years, Male Son of
Chhotelal Sah, Resident of Village- Pokhra Sheikh Toli, P.S. Kotwa, District-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 6997 of 2025)

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

For the Opposite Party/s : Mr. Murli Dhar, APP

(In CRIMINAL MISCELLANEOUS No. 7394 of 2025)

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

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with 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
and later on also added Sections 30 (a), 34, 37 and 41 of the
Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, some persons of the



village suddenly became ill and died during the course of treatment due to consume poisonous substance.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence and have falsely been implicated in this case due to mere suspicion and ulterior motive. Learned counsel for the petitioners further submits that petitioners are not named in the FIR and his name transpires during course of investigation on the basis of confessional statement of the co-accused, who stated that the consignment of spurious liquor was sent from delhi by the accused petitioners. There is no material available on the record to show that the deceased was consumed spurious liquor. Neither the petitioners apprehended at the spot nor any incriminating articles have been recovered from the conscious possession of the petitioners. Petitioners are in custody since 29.10.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Exclusive Special Excise Court No. 1, Civil Court, East Champaran, Motihari, it appears that no recovery have been made from the conscious possession of the petitioners. It is also submitted that there are no independent



witness of seizure list. Petitioners are in custody since 29.10.2024. Similarly situated co-accused persons namely Punni Bhagat @ Pundev Bhagat, Langar Paswan, Panna Lal Ram, Lalan Yadav, Ajay Yadav @ Ajay Kumar Yadav, Rajesh Sahani @ Rajesh Sahni, Shekh Ekram @ Ekram Miyan, Gabbar Yadav and Harishankar Bhagat @ Bhola Bhagat have been granted bail by this Court and a co-ordinate Benches of this Court in Cr. Misc Nos. 52884 of 2023, 52190 of 2023, 69026 of 2023, 72457 of 2023, 72042 of 2023, 73753 of 2023, 15773 of 2023, 14289 of 2024 and 6508 of 2024 vide orders dated 21.08.2023, 20.09.2023, 01.11.2023, 12.02.2024, 08.11.2023, 26.02.2024, 05.03.2024, 01.03.2024 and 17.02.2024, respectively accordingly the prayer for bail of the petitioners are allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 1, East Champaran at Motihari in connection with Sugauli P.S. Case No. 141 of 2023.

(Ramesh Chand Malviya, J)

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