

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69267 of 2025

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

Upendra Singh S/O Parmanand Singh@ Pramanand Singh Resident of
Village- Khodha, P.S.- Sugauli, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Mr. Hemant Kumar, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, APP

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

ORAL ORDER

2 23-09-2025 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. Subsequently, 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 during investigation. The petitioner is in custody since 02.07.2025 and has got one criminal antecedent. 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, claim based on parity 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. 15,000/- (Rupees Fifteen 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)

Raj Kishore/-

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