IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73701 of 2026

CNR No. BRHC011068532026

Arising Out of PS. Case No.-174 Year-2026 Thana- TURKAULIYA District- East Champaran

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Jimbu Baitha @ Jamu Baitha Son of Tufani Baitha Resident of village - Hardiya, P.S.- Raghunathpur, District - East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 79341 of 2026

CNR No. BRHC011068532026

Arising Out of PS. Case No.-174 Year-2026 Thana- TURKAULIYA District- East Champaran

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Suraj Singh @ Suraj Kumar S/o Lalan Singh @ Shital Singh @ Shitala Prasad Singh Resident of village - Nahora Derwa, P.S - Jalalpur, District - Jaunpur (Uttar Pradesh)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
(In CRIMINAL MISCELLANEOUS No. 73701 of 2026)
For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP
(In CRIMINAL MISCELLANEOUS No. 79341 of 2026)
For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 20-11-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 274, 275, 123, 105, 110, 111(2), 61(2) of BNS and Sections 33,

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34(a), 34(b), 34(b)(i), 34(b) (ii), 34(b) (iii), 34(b) (iv) and 36 of the Bihar Prohibition and Excise Act.

3. The case of the prosecution is that certain persons have consumed spurious liquor due to which, one Pramod Yadav(deceased) died.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners has submitted that nothing has been recovered from the possession of the petitioners. Learned counsel has submitted that it is very surprising that the informant, namely, Dinesh Yadav has also consumed liquor but he did not die. From perusal of the FIR itself, it is clear that the said spurious spirit was supplied to the deceased by co-accused Naga Rai. Petitioners are not the suppliers of the same. Nothing incriminating article has been recovered from their possession. Petitioners are not responsible for the death of that person. Moreover, they are languishing in judicial custody since 21.04.2026 and 15.09.2026 respectively. Learned counsel has further submitted that several co-accused persons have already been granted bail by this court vide Annexures-2 and 3 series to this petition.

5. Learned APP appearing for the State has

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vehemently opposed the prayer of regular bail and has submitted that the petitioners are having criminal antecedent of five cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Turkauliya P.S. Case No. 174 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.- 1, East Champaran at Motihari with following conditions:-

(i) The petitioners shall cooperate in trial and shall remain physically present in the trial court on each and every fixed date.

(ii) One of the bailors should be close relative of all the petitioners.

(iii) The petitioners are also directed not to indulge themselves in similar nature of offences in future.

(Ashok Kumar Pandey, J)

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