

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1273 of 2020**

Arising Out of PS. Case No.-401 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

MUNNA SAH S/o Jagdish Sah R/o village- Mohiuddinpur, P.S.- Siwan
Muffasil, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mrs.Indu Kumari Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 16-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 272/273 of the Indian Penal Code and Sections 30(a)/41(i) of the Bihar Prohibition and Excise Act, 2016.

About 50 liters of liquor was recovered from the motorcycle of the petitioner. The petitioner has stated on oath that he has got no criminal antecedent. He is in custody since 24.10.2019. Investigation of the case is already complete.

Considering the nature of allegation and punishment prescribed under the law, in my view, the petitioner should be released only after framing of the charge. Hence, let the petitioner, above named, be released on bail **after framing of**



the charge on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Siwan Muffasil (Dhanauti) P.S. Case No.401 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the Court.

The trial Court is directed to expedite framing of the charge.

(Birendra Kumar, J)

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