

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9506 of 2024

Arising Out of PS. Case No.-2057 Year-2023 Thana- Excise P.S. District- Gaya

-
1. Md. Zaid Ahmad Son of Moin Ansari R/o Newari Vikash, P.S. - B.I. O.P. Sadar, Distt. - Ranchi, Jharkhand
 2. Shahid Ansari Son of Yasuf Ansari R/o Newari Vikash, P.S. - B.I. O.P. Sadar, Distt. - Ranchi, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Gaya Excise P.S Case No. 2057 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per allegation in the FIR, total 432 litres of illicit liquor was recovered from the Mahindra car vehicle.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case.



He further submits that no incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that recovery is made from the vehicle and petitioner has no concern with the alleged vehicle. There is no independent eyewitness as per the seizure list. It is also submitted that petitioner is in judicial custody since 30.11.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No. 03, Gaya in connection with Gaya Excise P.S Case No. 2057 of 2023

7. The trial court is directed to conclude the



proceeding of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Nilmani/-

U		T	
---	--	---	--

