

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9764 of 2024

Arising Out of PS. Case No.-343 Year-2023 Thana- KOCHAS District- Rohtas

Mahabir Prasad Keshari, aged bout 34 years, Male, Son of Late Kedar Prasad Keshari R/o village and police station- Dinara, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Choubey, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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 Kochas P.S. Case No.343 of 2023 registered for an offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per allegation in the FIR, total 13.140 liters of foreign liquor from the flour mill of co-accused Indrajeet Kumar @ Indrajeet Kumar Keshari.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and the said flour mill of Indrajeet Kumar has already been released on bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 3594 of 2024 vide order dated 01.02.2024. Petitioner is in custody since 11.11.2023.

5. However, learned APP for the State opposes the



prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and similarly situated co-accused has already been granted regular bail by a Coordinate Bench of this Court, the prayer for regular bail of the petitioner is allowed. Accordingly, let the above named petitioner be released on bail ***after framing of the charge*** on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.2-cum-Additional District & Sessions Judge, Rohtas at Sasaram in connection with Kochas P.S. Case No. 343 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to the law within a period of fifteen 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 above named petitioner shall be released on bail on above conditions and the petitioner 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)

Brajesh Kumar/-

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