

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5396 of 2024

Arising Out of PS. Case No.-511 Year-2023 Thana- KATEYA District- Gopalganj

1. Lav Kumar, aged about 28 years, Male Son of Sri Jaynarayan Sahani.
2. Amod Kumar, aged about 21 years, Male Son of Sri Chandradev Sahani.
Both resident of Village-Mohammadpur Khoje, P.S. Karja, District-Muzaffarpur.
3. Sonu Kumar, aged about 22 years, Male Son of Sri Vasudev Ray, Resident of Village- Dwarikanathpur, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sagar Kumar, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 16-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Kateya PS Case No. 511 of 2023 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the prosecution case, total 233.280 liters of foreign liquor has been recovered from Mahindra Pick-up Van.

4. Learned counsel for the petitioners submits that the petitioners are innocent and has committed no offence and has falsely been implicated in this case. Nothing has been recovered



from the conscious possession of the petitioners. Petitioners have got clean antecedent and is in custody since 04.12.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise, Court No. 1, Gopalganj in connection with Kateya PS Case No. 511 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to 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 petitioners 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)

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