

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7868 of 2024

Arising Out of PS. Case No.-183 Year-2023 Thana- HUSSAINGANJ District- Siwan

Abhishek Yadav, aged about 24 years, Male, Son Of Birendra Yadav R/O Village- Thepaha Uttar Tola, P.O.- Thepaha Raja Ram, P.S.- Jiradei, Dist.- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Shahi, Advocate
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Hussainganj P.S. Case No. 183 of 2023 for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation in the FIR, total 405 liters of foreign liquor was recovered from a scorio vehicle.

4. Learned counsel for the petitioners submits that petitioner has falsely been implicated in this case. He further submits that nothing has been recovered from the possession of the petitioner. He next submits that similarly situated co-accused persons have already been granted regular bail by a Co-ordinate



Bench of this Court passed in Cr. Misc.No. 55229 of 2023 and Cr. Misc. No. 60022 of 2023 and he is in judicial custody since 02.11.2023.

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

6. 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 Special Excise Judge-01, Siwan in connection with Hussainganj P.S. Case No. 183 of 2023.

7. However, the court below 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 this order.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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