

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5865 of 2024

Arising Out of PS. Case No.-338 Year-2023 Thana- ROH District- Nawada

MOHIT KUMAR SON OF RAMASHISH SHARMA RESIDENT OF
VILLAGE - MARCHOI, P.S. - SATGAWAN, DISTRICT - KODERMA,
JHARKHAND - 825132

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sahvind Kumar Sharma

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 13-02-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Roh P.S. Case No.338 of 2023 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 300 litre of illicit liquor from a CNG auto bearing Engine Number A2XWPD81342.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner rather the same was recovered from



a CNG Auto. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is further submitted that petitioner is in custody since 10.11.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Roh P.S. Case No.338 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.2, Nawada.

7. However, the trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

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