

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9376 of 2024

Arising Out of PS. Case No.-1626 Year-2023 Thana- Excise P.S. District- Patna

Sushant Kumar, aged about 30 years, Son of Sanjay Kumar R/o vill - Naya Tola Madhopur, ward no. 15, P.S. - Bakhtiyarpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avanish Singh, Advocate.

For the Opposite Party/s : Mr. Nagendra Prasad, 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 Barh Excise P.S Case No. 1626 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 15.400 litres of cough syrup kept in a bag was recovered from the tempu.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner is not owner of the



said tempu. It is also submitted that petitioner is in judicial custody since 02.12.2023.

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 Special Judge, Excise, Barh, (Patna) in connection with Barh Excise P.S Case No. 1626 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/-

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