

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6157 of 2024

Arising Out of PS. Case No.-236 Year-2023 Thana- BARHIYA District- Lakhisarai

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AJEET KUMAR SON OF SANJAY SINGH R/O-RAMCHARAN TOLA,
WARD NO. 5, BARAHIYA, P.S.-BARAHIYA, DISTT.-LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barahiya P.S. Case No. 236 of 2023 instituted for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act and Sections 25(1-B)a/26 of the Arms Act.

3. The prosecution case relates to recovery of total 11.250 liters of foreign liquor, one country made pistol and five live cartridges from possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to ulterior motive. Petitioner has no concern with the alleged recovered liquor and



arms. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the bail petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 15.10.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties as well as period of custody of the petitioner, this Court is inclined to enlarge the petitioner on bail, let the petitioner above named be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IVth-cum-Special Excise Court 1st, Lakhisarai in connection with Barahiya P.S. Case No.236 of 2023.

7. 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. However, it is made clear that ***if the charge-sheet has not been submitted*** then the petitioner shall be released on bail on 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)

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