

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13972 of 2024**

Arising Out of PS. Case No.-128 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.  
District- Samastipur

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RAMESH PASWAN SON OF RAJESAR PASWAN R/O-TAAL EGHARA,  
P.S.-KHANPUR, DISTT.-SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bijay Bhushan Prasad  
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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

ORAL ORDER

2      28-02-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.              The petitioner seeks bail in connection with  
Excise P.S. Case No.128 of 2019 registered for the offence  
under Sections 30(a) and (c) of the Bihar Prohibition and Excise  
Act.

3.              As per FIR, there is recovery of 30 litre of  
illicit liquor and 1000 litre jugglery liquid along with  
manufacturing apparatus from beside the road.

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 an open road. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as recovered place. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 22.11.2023.

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 Excise P.S. Case No.128 of 2019 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise – 02, Samastipur.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition



that the petitioner have to 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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