

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7599 of 2024

Arising Out of PS. Case No.-1892 Year-2023 Thana- Excise P.S. District- Gaya

1. Dharmendra Kumar Ray S/o Harilal Sinha R/o Vill - Sahpur, P.S. - Gopalpur, Dist. - Patna
2. Chandan Kumar S/o Late Umashankar Ray R/o Vill - Dariyapur, P.S. - Fatuha, Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 13-02-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seek bail in connection with Excise P.S. Case No.1892 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 144 litre of illicit liquor from a car.

4. Learned counsel appearing on behalf of the



petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that recovery of alleged illicit liquor was not made from physical possession of the petitioners rather the same was recovered from a car. It is further submitted the petitioners have no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is further submitted that petitioners are men of clean antecedent and he is in custody since 29.10.2023. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Excise P.S. Case No.1892 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.3, Gaya.

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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