

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11481 of 2024

Arising Out of PS. Case No.-273 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Tilak Chand Kumar, aged about 36 years, Gender-Male, S/o- Manik Chand
Village- Piparpati Naya Tola, W.No- 13, Ps- Jalalgadh Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 23-02-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Kochadhaman P.S. Case No. 273 of 2023 registered for the offence punishable under Sections 467, 468, 471 and 420/34 of the Indian Penal Code and Sections 30(a), 32, 41 and 47 of the Bihar Prohibition and Excise Act, 2016.

3. As per allegation in the FIR, total 172.41 liters of country made liquor was recovered from a car bearing registration number BR-11Y-3823.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in this and he has no concern with the seized alleged vehicle



and nothing has been recovered from the conscious possession of the petitioner. He next submits that the petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 11.11.2023.

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

6. Considering the facts and circumstances and alleged liquor has not been recovered from the conscious physical possession of this petitioner, let the petitioner, above named, is directed to be released on bail *after framing of the charge* in connection with Kochadhaman P.S. Case No.273 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 ADJ-III-cum-Special Judge (Excise-I), Kishanganj (Bihar)-855107.

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)

Brajesh Kumar/-

U			
---	--	--	--

