

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8469 of 2024**

Arising Out of PS. Case No.-91 Year-2023 Thana- PURUSHOTTAMPUR District- West
Champanan

DURGA SHARMA S/O- LATE BHARAT SHARMA R/O- VILLAGE-
BARWACHAP LALIYARIYA TOLA, P.S.- CHANPATIYA, DIST.- WEST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha
For the Opposite Party/s : Mr.Ram Sevak Choudhary

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

ORAL ORDER

2 15-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Purshottampur P.S. Case No.91 of 2023 registered for the
offence under Sections 272, 273, 413, 414 of the Indian Penal
Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per FIR, there is recovery of 80 litres of
illicit liquor from a motorcycle.

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 a motorcycle. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as the motorcycle. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 24.09.2023.

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 Purshottampur P.S. Case No.91 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 Exclusive Special Court, Excise-II, Bettiah, West Champaran.

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 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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