

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7343 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- BAHADURPUR District- Darbhanga

Binit Batsa S/o- Sri Raman Singh @ Raman Kumar Singh Village-
Balbhadrapur Ps- Laheriyasara Dist- Darbhanga P/A- Vill Ps- Bibhutipur
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushalesh Choudhary

For the Opposite Party/s : Mr. Sanjay Kumar

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

ORAL ORDER

2 13-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Bahadurpur P.S. Case No.466 of 2023 registered for the offence
under Sections 30(a), 32(i), 32(ii), 41 and 47 of the Bihar
Prohibition and Excise Act.

3. As per FIR, there is recovery of 1105.92
litres of illicit liquor from truck.

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 name of the
petitioner surfaced during course of investigation. 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 truck. It is further submitted that the petitioner is neither owner nor driver of the vehicle in question and he has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is also submitted that similarly situated co-accused persons have already been granted bail by different co-ordinate Benches of this Court through Cr. Misc. No.85730 of 2023 dated 22.01.2024, Cr. Misc. No.84457 of 2023 dated 18.01.2024 and Cr. Misc. No.85283 of 2023 dated 09.01.2024. It is further submitted that petitioner is a man of clean antecedent as mentioned in paragraph no.3 of the bail petition and he is in custody since 15.10.2023.

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 Bahadurpur P.S. Case No.466 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 Special Judge (Excise Act), Darbhanga.

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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