

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7967 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- Excise P.S. District- Bhojpur

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1. Gunjan Kumar aged about 25 years (Male) S/O Dhanji Singh R/O Village- Gangajal Math P.S- Sanjhauli, Distt.- Rohtas.
 2. Dipu Kumar aged about 21 years, Male S/O Bir Bahadur Prasad R/O Village- Gangajal Math P.S- Sanjhauli, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the State : Mr. Akbar Ali, APP

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

ORAL ORDER

2 12-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody in connection with
Excise (Jagdishpur) P.S Case No. 109 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2018.

3. As per allegation in the FIR, total 166.680 litres of
foreign liquor was recovered from a vehicle.

4. Learned counsel for the petitioners submit that
petitioners have falsely been implicated in this case. It is
submitted that the said vehicle does not belong to the petitioners
rather petitioner no. 1 is driver and petitioner no. 2 is khalasi of



the said vehicle. He further submits that nothing has been recovered from the possession of the petitioners, petitioners have got clean antecedent as stated in para-3 of the petition and he is in judicial custody since 30.12.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise, Excise Court No-11 in the connection with Excise (Jagdishpur) P.S Case No. 109 of 2023.

7. However, the trial court is directed to conclude the proceeding of *framing of charge* according to law within a period of fifteen days from the date of receipt of this order.

(Ramesh Chand Malviya, J)

Mayank/
Brajesh/-

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